

FEDERAL REGISTER

VOLUME 33 • NUMBER 161

Saturday, August 17, 1968 • Washington, D.C.

Pages 11697-11733

Agencies in this issue—

Agricultural Stabilization and
Conservation Service
Agriculture Department
Business and Defense Services
Administration
Civil Aeronautics Board
Civil Service Commission
Commodity Credit Corporation
Comptroller of the Currency
Consumer and Marketing Service
Federal Aviation Administration
Federal Communications Commission
Federal Home Loan Bank Board
Federal Maritime Commission
Federal Power Commission
Federal Trade Commission
Fish and Wildlife Service
Foreign Direct Investments Office
Interstate Commerce Commission
Land Management Bureau
Maritime Administration
National Park Service
Property Management and Disposal
Service
Securities and Exchange Commission
Small Business Administration

Detailed list of Contents appears inside.



Now Available

LIST OF CFR SECTIONS AFFECTED

1949-1963

This volume contains a compilation of the "List of Sections Affected" for all titles of the Code of Federal Regulations for the years 1949 through 1963. All sections of the CFR which have been expressly affected by documents published in the daily Federal Register are enumerated.

Reference to this list will enable the user to find the precise text of CFR provisions which were in force and effect on any given date during the period covered.

Price \$6.75

Compiled by Office of the Federal Register,
National Archives and Records Service,
General Services Administration

Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402



Area Code 202

Phone 962-8626

Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., Ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

Rules and Regulations

- Mainland cane sugar area; allotment of quotas..... 11703

AGRICULTURE DEPARTMENT

See also Agricultural Stabilization and Conservation Service; Commodity Credit Corporation; Consumer and Marketing Service.

Notices

- Designation of areas for emergency loans:
Michigan, Missouri, and South Dakota 11718
Nebraska 11718

BUSINESS AND DEFENSE SERVICES ADMINISTRATION

Notices

- Duty-free entry of scientific articles:
Cancer Research Institute..... 11718
Harvard University..... 11719
Michigan Technological University 11719
New York Medical College..... 11720
Pennsylvania State University..... 11720

CIVIL AERONAUTICS BOARD

Notices

- Hearings, etc.:
Braniff Airways, Inc..... 11721
International Air Transport Association 11721
Northwest Airlines, Inc., and Pan American World Airways, Inc 11721

CIVIL SERVICE COMMISSION

Rules and Regulations

- Health, Education, and Welfare Department; excepted service.. 11702

COMMERCE DEPARTMENT

See Business and Defense Services Administration; Foreign Direct Investments Office; Maritime Administration.

COMMODITY CREDIT CORPORATION

Rules and Regulations

- Honey; price support regulations.. 11705

COMPTROLLER OF THE CURRENCY

Rules and Regulations

- Proxy statements and other solicitations; ownership reports by certain persons..... 11705

CONSUMER AND MARKETING SERVICE

Rules and Regulations

- Handling limitations:
Lemons grown in California and Arizona 11704
Valencia oranges grown in Arizona and designated part of California 11704

Proposed Rule Making

- Almonds grown in California; proposed expenses and rate of assessment 11715
Domestic dates produced or packed in designated area of California:
Proposed amendment of administrative rules and regulations 11715
Proposed expenses and rate of assessment 11716
Flue-cured tobacco; handling..... 11716
Irish potatoes grown in Modoc and Siskiyou Counties, Calif., and in all counties in Oregon except Malheur County; handling..... 11715

FEDERAL AVIATION ADMINISTRATION

Rules and Regulations

- Airworthiness directives; Boeing Model 727 Series airplanes..... 11714

FEDERAL COMMUNICATIONS COMMISSION

Proposed Rule Making

- Community antenna relay service; permission to transmit program material originated by CATV systems..... 11716

FEDERAL HOME LOAN BANK BOARD

Rules and Regulations

- Operations; borrowing, issuance of obligations, and giving of security 11706

Proposed Rule Making

- Collection of claims..... 11717

FEDERAL MARITIME COMMISSION

Notices

- Brazil/United States Gulf Sailing and Cargo Allowance Agreement; notice of agreement filed for approval..... 11726

FEDERAL POWER COMMISSION

Notices

- Hearings, etc.:
Elcor Chemical Corp..... 11724
Marathon Oil Co., et al..... 11722
Panhandle Producing Co., et al..... 11725
Southern Natural Gas Co..... 11724
Transwestern Pipeline Co..... 11724
Western States Producing Co..... 11724

FEDERAL TRADE COMMISSION

Rules and Regulations

- Administrative opinions and rulings:
Adoption of penalty clause which inhibits competitors.... 11701
Necessity for disclosing country of origin of imported watch bands..... 11702
Proposal to reduce discounts granted small volume purchasers..... 11701
Publication by trade association of suggested resale price schedule for materials..... 11701
Sales promotion plan—opportunity to buy at savings..... 11701

FISH AND WILDLIFE SERVICE

Rules and Regulations

- Necedah National Wildlife Refuge, Wis.:
Hunting..... 11713
Public access, use, and recreation..... 11713

FOREIGN DIRECT INVESTMENTS OFFICE

Rules and Regulations

- Foreign direct investment regulations; miscellaneous amendments..... 11706

GENERAL SERVICES ADMINISTRATION

See Property Management and Disposal Service.

INTERIOR DEPARTMENT

See Fish and Wildlife Service; Land Management Bureau; National Park Service.

INTERSTATE COMMERCE COMMISSION

Rules and Regulations

- Car service; distribution of refrigerator cars..... 11713

Notices

- Ann Arbor Railroad Co.; rerouting or diversion of traffic..... 11731
Motor Carriers:
Temporary authority applications (3 documents)..... 11726-11728
Transfer proceedings (3 documents) 11730

LAND MANAGEMENT BUREAU

Rules and Regulations

- California; public land order; correction 11713

Notices

- Arizona; classification of public lands for State Indemnity Lieu Selection 11718

(Continued on next page)

MARITIME ADMINISTRATION**Rules and Regulations**

Seamen's service awards..... 11702

NATIONAL PARK SERVICE**Notices**Chief, Office of Archeology and
Historic Preservation; revoca-
tion of delegation of authority... 11718**PROPERTY MANAGEMENT AND
DISPOSAL SERVICE****Notices**Portion, Larson AFB; transfer of
property 11725**SECURITIES AND EXCHANGE
COMMISSION****Notices***Hearings, etc.:*

Consumers Power Co., and A. J.

Industries, Inc..... 11725

Golden Age Mines, Ltd..... 11725

**SMALL BUSINESS
ADMINISTRATION****Notices**Minnesota; declaration of disaster
area 11725**TREASURY DEPARTMENT**

See Comptroller of the Currency.

TRANSPORTATION DEPARTMENTSee Federal Aviation Administra-
tion.**List of CFR Parts Affected**

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1968, and specifies how they are affected.

5 CFR

213..... 11702

7 CFR

814..... 11703

908..... 11704

910..... 11704

1434..... 11705

PROPOSED RULES:

947..... 11715

981..... 11715

987 (2 documents)..... 11715, 11716

1202..... 11716

12 CFR

11..... 11705

12..... 11705

545..... 11706

PROPOSED RULES:

501..... 11717

14 CFR

39..... 11714

15 CFR

1000..... 11706

16 CFR

15 (5 documents)..... 11701, 11702

43 CFR**PUBLIC LAND ORDER:**

4507 (corrected)..... 11713

46 CFR

350..... 11702

47 CFR**PROPOSED RULES:**

74..... 11716

49 CFR

1033..... 11713

50 CFR

28..... 11713

32..... 11713

Rules and Regulations

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Adoption of Penalty Clause Which Inhibits Competitors

§ 15.271 Adoption of penalty clause which inhibits competitors.

(a) The Commission advised a requesting party that his proposal, if adopted, would violate section 5 of the Federal Trade Commission Act.

(b) The plan and its background were described as follows:

(1) It is customary in the specified market for sellers of components furnished by a single supplier to offer free design services to architects and engineers engaged in planning new construction.

(2) When the contracts are let, however, that seller of components who has provided the free design services is not always the successful bidder.

(3) It was proposed, therefore, that the supplier contract and agree with all whom he supplies that a money penalty be imposed on any successful bidder who had not provided the free design services. The prescribed penalty would be paid over to that unsuccessful bidder who in fact provided free design services, falling which the supplier might at his option, cut the offending bidder off.

(c) The Commission noted that any direct, or indirect, agreement between competitors which interferes with the free establishment of a market price whether that price be expressed in money, service, or in any other manner, is unlawful.

(38 Stat. 717, as amended; 15 U.S.C. 41-58)

Issued: August 16, 1968.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 68-9894; Filed, Aug. 16, 1968; 8:48 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Sales Promotion Plan—Opportunity To Buy at a Savings

§ 15.272 Sales promotion plan—opportunity to buy at a savings.

(a) The Commission approved a proposed sales promotion plan described as follows:

(1) The requesting party proposes to offer major oil companies its services in

the promotion of the retail sale of gasoline. Participating gasoline stations will be provided with 3 x 4 cards picturing some product, most probably a nationally advertised appliance. These cards will be distributed gratis to those who wish to have them. No purchase of any kind will be required.

(2) The appliance pictured on the card will be offered for sale at a price substantially less than the price at which it is ordinarily available through customary retail outlets. The holder of the card may obtain the appliance by sending the card with remittance to a designated post office box. His purchase will be mailed to him. A purchase may be made without a card if remittance is accompanied either by a facsimile of the appliance or a word description thereof.

(b) The plan was approved on the assumption that the offered savings would in fact be available as prescribed in the Commission's Guides Against Deceptive Pricing.

(38 Stat. 717, as amended; 15 U.S.C. 41-58)

Issued: August 16, 1968.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 68-9898; Filed, Aug. 16, 1968; 8:48 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Publication by Trade Association of Suggested Resale Price Schedule for Materials

§ 15.273 Publication by trade association of suggested resale price schedule for materials.

(a) The Commission rendered an advisory opinion advising a trade association of independent shops engaged in rendering repair service that its proposal to disseminate a suggested resale price schedule for materials used would be likely to result in a violation of law.

(b) The schedule in question consisted of two tables, one of which gave the shop-owner a quick reference to suggested resale prices for materials and the other of which gave him an explanation of the total by itemization of each resalable product. The schedule explained that after hours of study it was found that computing labor and materials charges by allowing a price for each hour of labor was very unfair to the shops and far below their cost of materials. Hence the schedule gave the shop a quick method of computing the price of materials to which would be added the cost of labor.

(c) The Commission advised that implementation of this proposal by the association would be likely to result in a

violation of law. Even though couched in the form of a suggestion, the natural and probable result of such an action by the association would be to persuade substantial numbers of the members to charge the prices suggested, thus leaving an almost inescapable inference of an agreement among competitors to charge a uniform price for materials. Such an agreement, the Commission stated, would be a clear restraint of trade under existing law.

(d) It was the opinion of the Commission that the prices charged by the members for materials should be determined by the natural forces of competition, not by concerted activity on the part of the members acting through their trade association or otherwise.

(38 Stat. 717, as amended; 15 U.S.C. 41-58)

Issued: August 16, 1968.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 68-9897; Filed, Aug. 16, 1968; 8:48 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Proposal To Reduce Discounts Granted Small Volume Purchasers

§ 15.274 Proposal to reduce discounts granted small volume purchasers.

(a) The Commission rendered an advisory opinion in which a distributor of leather specialty goods was informed that a proposed merchandising plan under which those customers whose annual purchase volume is less than an arbitrary and fixed amount would be granted a smaller discount than would be granted those whose purchases exceed such amount cannot be approved because it appears on its face to violate section 2(a) of the amended Clayton Act if it were put into operation.

(b) The proposed merchandising program will continue the current discount of 50 percent off list to those whose annual purchase volume exceeds \$250. All other accounts will be granted 40 percent discount on orders of less than \$200 list and 50 percent discount on orders over this amount until their cumulative purchase volume reaches \$500 list at which time each will receive a retroactive rebate adjustment on past purchases and the current discount on subsequent purchases. A service charge of \$2 is to be charged on orders of less than \$20 net.

(c) The Commission further pointed out that price discriminations to customers who in fact compete with each other in the resale of commodities of like grade and quality would violate section 2(a) of the amended Clayton Act unless cost justified or unless the lower

price is a good faith meeting of a competitor's equally low price.

(38 Stat. 717, as amended; 15 U.S.C. 41-58; 49 Stat. 1526; 15 U.S.C. 13, as amended)

Issued: August 16, 1968.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 68-9896; Filed, Aug. 16, 1968;
8:48 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Necessity for Disclosing Country of Origin of Imported Watch Bands

§ 15.275 Necessity for disclosing country of origin of imported watch bands.

(a) The Commission was requested to furnish an advisory opinion as to the necessity for disclosing the country of origin of watch bands which will be assembled in the Virgin Islands wholly from parts imported from Hong Kong.

(b) The opinion advised that in the Commission's view the country of origin of these watch bands must be disclosed in a clear and conspicuous manner either on the bands themselves or on the packages in which they are sold.

(38 Stat. 717, as amended; 15 U.S.C. 41-58)

Issued: August 16, 1968.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 68-9895; Filed, Aug. 16, 1968;
8:48 a.m.]

Title 46—SHIPPING

Chapter II—Maritime Administration, Department of Commerce

SUBCHAPTER J—MISCELLANEOUS

[General Order 81, Rev.]

PART 350—SEAMEN'S SERVICE AWARDS

Part 350 is hereby revised to read as follows:

- Sec.
350.1 Purpose.
350.2 Korean Service Bar.
350.3 Vietnam Service Bar.
350.4 Procedure for purchase.
350.5 Replacements.
350.6 Unauthorized sale.

AUTHORITY: Sections 350.1 to 350.6 issued under sec. 2, 70 Stat. 605; 46 U.S.C. 249a; Department of Commerce Order 117-A (31 F.R. 8087, June 8, 1966).

§ 350.1 Purpose.

To set forth the regulations and procedure to be followed, pursuant to Public Law 759, 84th Congress, in connection with the issuance of service ribbon bars to masters, officers and crew members of U.S. ships in recognition of their service

in the defense of Korea and Vietnam, and the replacement of awards previously issued for service in the U.S. Merchant Marine during World War II, under earlier Acts of Congress and Executive Orders, now repealed.

§ 350.2 Korean Service Bar.

A red, white, and blue umbra silk ribbon bar, $1\frac{3}{8}$ inches wide by three-eighths inch long may be issued, in accordance with the procedure set forth in § 350.4, to each master, officer, or member of the crew of any United States ship who, between June 30, 1950, and September 30, 1953, served in the waters adjacent to Korea, within the following bounds:

From a point at latitude $39^{\circ}30' N.$, longitude $122^{\circ}45' E.$; southward to latitude $33^{\circ} N.$, longitude $122^{\circ}45' E.$; thence eastward to latitude $33^{\circ} N.$, longitude $127^{\circ}55' E.$, thence northeastward to latitude $37^{\circ}05' N.$, longitude $133^{\circ} E.$; thence northward to latitude $40^{\circ}40' N.$, longitude $133^{\circ} E.$; thence northwestward to a point on the east coast of Korea at the juncture of Korea with the U.S.S.R.

§ 350.3 Vietnam Service Bar.

A red, blue and yellow silk ribbon bar, $1\frac{3}{8}$ inches wide by three-eighths inch long may be issued, in accordance with the procedure set forth in § 350.4, to each master, officer, or member of the crew of any U.S. ship who, between July 4, 1965, to a terminal date to be prescribed later, served in the waters adjacent to Vietnam within the following bounds:

From a point on the East Coast of Vietnam at the juncture of Vietnam with China southeastward to $21^{\circ} N.$ lat., $108^{\circ}15' E.$ long.; thence southeast to $18^{\circ} N.$ lat., $108^{\circ}15' E.$ long.; thence southeastward to $17^{\circ}30' N.$ lat., $111^{\circ} E.$ long.; thence southward to $11^{\circ} N.$ lat., $111^{\circ} E.$ long.; thence southwestward to $7^{\circ} N.$ lat., $105^{\circ} E.$ long.; thence westward to $7^{\circ} N.$ lat., $103^{\circ} E.$ long.; thence northward to $9^{\circ}30' N.$ lat., $103^{\circ} E.$ long.; thence northeastward to $10^{\circ}15' N.$ lat., $104^{\circ}27' E.$ long.; thence northward to a point on the West Coast of Vietnam at the juncture with Cambodia.

§ 350.4 Procedure for purchase.

Application for the Korean Service Bar and Vietnam Service Bar shall be made to the Office of Maritime Manpower, Maritime Administration, Department of Commerce, Washington, D.C. 20235. Such application should include seaman's complete name, Book or "Z" number, the name or names of ships on which he served, dates of service, and his mailing address. If found to be eligible, an Authorization Card will be supplied to the applicant whereby he may purchase the Korean Service Bar or Vietnam Service Bar from the only duly certified distributor, Harry Sadow, Inc., 20 Vesey Street, New York, N.Y. 10007, at a cost of 65 cents. Replacement may be obtained in the same manner if bar is lost, destroyed, or rendered unfit for use, without fault or neglect on the part of the owner.

§ 350.5 Replacements.

(a) The following ribbon bars, previously issued for service in the U.S.

Merchant Marine during World War II, pursuant to earlier Acts of Congress and Executive Orders, now repealed, may be replaced, if bar is lost, destroyed, or rendered unfit for use, without fault or neglect on the part of the owner, at a cost of 65 cents per ribbon bar by presenting to Harry Sadow, Inc., either in person or by mail, the appropriate Authorization Card presently in the applicant's possession:

Atlantic War Zone Bar.
Pacific War Zone Bar.
Mediterranean-Middle East War Zone Bar.
Combat Bar.
Defense Bar.
Victory Medal Bar.

If Authorization Cards are lost or destroyed, replacements thereof may be obtained upon application to the Office of Maritime Manpower, Maritime Administration, Department of Commerce, Washington, D.C. 20235.

(b) The following decorations may be replaced at cost upon application to the Office of Maritime Manpower, Maritime Administration, Department of Commerce, Washington, D.C. 20235:

Distinguished Service Medal.
Meritorious Service Medal.
Mariner's Medal.
Victory Medal.
Merchant Marine Emblem.
Honorable Service Button.

§ 350.6 Unauthorized sale.

The sale of any Merchant Marine decoration, without the presentation of appropriate authorization card or written authorization of the Maritime Administration, or by anyone other than a certified distributor, is prohibited by law.

Dated: August 14, 1968.

By order of the Acting Maritime Administrator.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 68-9913; Filed, Aug. 16, 1968;
8:49 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of Health, Education, and Welfare

Section 213.3116 is amended to show that two positions of social insurance representative in district offices of the Social Security Administration in New Mexico are in Schedule A when filled by persons of one-fourth or more Indian blood. Effective on publication in the FEDERAL REGISTER, subparagraph (2) is added to paragraph (d) of § 213.3116 as set out below.

§ 213.3116 Department of Health, Education, and Welfare.

(d) Social Security Administration.

(2) Two positions of social insurance representative in the district offices of the Social Security Administration in the State of New Mexico when filled by the appointment of persons of one-fourth or more Indian blood.

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521, 3 CFR 1954-58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION.

[SEAL] JAMES C. SPRY,

Executive Assistant to the Commissioners.

[F.R. Doc. 68-9885; Filed, Aug. 16, 1968; 8:47 a.m.]

Title 7—AGRICULTURE

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 814.6 Amdt. 4]

PART 814—ALLOTMENT OF SUGAR QUOTAS, MAINLAND CANE SUGAR AREA

1968 Allotment

Basis and purpose. This amendment is issued under section 205(a) of the Sugar Act of 1948, as amended (61 Stat. 926 as amended), hereinafter called the "Act", for the purpose of amending Sugar Regu-

lation 814.6 (33 F.R. 6851, 8768, 9946), which established allotments for the Mainland Cane Sugar Area for the calendar year 1968.

This amendment is necessary to give effect to the 17,333-ton increase in the Mainland Cane Sugar Area Quota which was increased from 1,169,333 to 1,186,666 by Sugar Regulation 811, Amendment 9.

In accordance with paragraphs (5) and (8) of the findings and conclusions set forth in S.R. 814.6, Amdt. 1 (33 F.R. 6851), and pursuant to paragraph (e) of such regulation, paragraph (7) of such findings and conclusions is amended to read as follows:

(7) The calculation of allotment referred to in paragraph (5) above, reflecting the quota for the area of 1,186,666 short tons, raw value, is set forth in the following table:

Processors	Processing of sugar from 1967 crop cane		Average quota marketings within allotments 1965-67		Ability to market				Processor's basic allotment ³		Processor's adjusted allotment ⁴ short tons, raw value	
	Short tons, raw value	Percent of total	Short tons, raw value	Percent of total	Effective inventory Jan. 1, 1968 ¹	New-crop quota marketings		Measures used		Percent of total		Short tons, raw value
						Average 1965-67	Shares of difference ²	Col. (5) plus col. (7)	Percent of total			
Short tons, raw value												
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
Alabama Sugar Co.	13,037	0.895	10,051	0.897	4,117	9,303	2,596	6,713	0.566	0.830	9,849	9,548
Alma Plantation, Ltd.	13,836	.950	9,922	.885	4,642	9,491	2,649	7,291	.615	.870	10,323	10,007
J. Aron & Co., Inc.	17,834	1.224	14,125	1.261	4,277	13,946	3,892	8,169	.688	1.124	13,337	12,930
Billeaud Sugar Factory	10,589	.727	10,159	.907	3,557	7,229	2,018	5,575	.470	.712	8,448	8,190
Breaux Bridge Sugar Co-op.	13,570	.932	8,817	.787	7,305	6,567	1,833	9,138	.770	.871	10,335	10,019
Wm. T. Burton Industries, Inc.	10,643	.731	8,507	.759	4,190	6,394	1,784	5,974	.504	.691	8,199	7,949
Caire & Graugnard	9,044	.621	5,343	.477	4,156	4,768	1,331	5,487	.462	.560	6,645	6,442
Cajun Sugar Co-op, Inc.	28,141	1.932	19,733	1.761	28,100	52	14	28,114	2.369	1.985	23,553	⁵ 28,100
Caldwell Sugar Co-op, Inc.	19,592	1.345	12,856	1.147	7,604	12,553	3,503	11,107	.936	1.223	14,612	14,069
Columbia Sugar Co.	10,967	.753	8,283	.739	4,510	6,851	1,912	6,422	.541	.708	8,401	8,145
Cora-Texas Manufacturing Co., Inc.	11,144	.765	7,565	.675	8,802	2,894	808	9,610	.810	.766	8,970	8,802
Dugas & LeBlanc, Ltd.	22,659	1.556	14,484	1.293	10,111	13,141	3,668	13,779	1.161	1.424	10,897	16,381
Duhe & Bourgeois Sugar Co.	13,635	.936	9,979	.891	4,425	9,620	2,685	7,110	.599	.860	10,205	9,893
Erath Sugar Co., Ltd.	7,304	.501	7,068	.631	1,570	5,785	1,615	3,185	.268	.480	5,696	5,522
Evan Hall Sugar Co-op, Inc.	32,805	2.252	22,266	1.987	12,680	21,103	5,890	18,570	1.565	2.061	24,455	23,708
Frisco Cane Co., Inc.	2,923	.201	2,834	.253	590	2,360	659	1,249	.105	.192	2,278	2,208
Glenwood Co-op, Inc.	23,017	1.580	15,650	1.397	8,781	14,867	4,149	12,930	1.090	1.445	17,146	16,623
Helvetia Sugar Co-op, Inc.	17,716	1.216	11,682	1.042	7,641	10,589	2,955	10,596	.893	1.116	13,242	12,838
Iberia Sugar Co-op, Inc.	24,557	1.686	18,882	1.685	12,403	12,660	3,533	15,936	1.343	1.617	19,187	18,601
LaFourche Sugar Co.	24,670	1.694	17,537	1.565	9,353	15,884	4,433	13,786	1.162	1.562	18,634	17,968
Harry L. Laws & Co., Inc.	20,968	1.439	16,411	1.465	8,076	11,927	3,329	11,405	.961	1.348	15,995	15,507
Leverett-St. John, Inc.	16,555	1.137	13,856	1.237	3,652	12,879	3,694	7,246	.611	1.052	12,483	12,102
Little Texas, Inc.	7,324	.503	4,426	.395	4,209	3,288	918	5,127	.432	.467	5,541	5,372
Louisiana Sugar Co-op, Inc.	14,839	1.019	11,425	1.020	6,119	9,134	2,549	8,668	.731	.962	11,415	11,066
Louisiana State Penitentiary	5,268	.362	3,481	.311	4,020	1,618	452	4,472	.377	.355	4,212	4,083
Meeker Sugar Co-op, Inc.	14,687	1.008	11,179	.998	12,848	2,298	641	13,489	1.137	1.032	12,245	12,245
Milliken & Farwell, Inc.	15,082	1.035	10,040	.896	6,738	8,965	2,502	9,240	.779	.956	11,344	10,998
M. A. Patout & Son, Ltd.	20,084	1.379	15,765	1.407	8,813	13,969	3,899	10,712	.903	1.289	15,295	14,828
Poplar Grove Planting & Refining Co.	12,366	.849	8,076	.774	5,922	6,622	1,848	7,770	.655	.795	9,433	9,145
Savio Industries	22,402	1.538	14,450	1.290	9,021	13,130	3,664	13,585	1.145	1.410	16,731	16,220
St. James Sugar Co-op, Inc.	28,252	1.940	18,385	1.641	21,265	8,201	2,289	23,554	1.985	1.889	22,414	21,730
St. Mary Sugar Co-op, Inc.	19,977	1.371	14,469	1.291	7,381	13,233	3,603	11,074	.933	1.267	15,034	14,575
South Coast Corp.	83,568	5.737	65,543	5.849	67,257	15,370	4,290	71,547	6.030	5.818	69,034	67,257
Southdown, Inc.	48,916	3.328	38,308	3.419	23,084	26,059	7,273	30,357	2.558	3.210	38,089	36,926
Sterling Sugars, Inc.	33,977	2.332	26,177	2.336	12,067	23,055	6,434	18,501	1.559	2.178	25,843	25,054
J. Supple's Sons Planting Co., Ltd.	7,942	.545	5,508	.491	3,985	4,099	1,144	5,129	.432	.512	6,075	5,890
Valentine Sugars, Inc.	14,057	.965	11,129	.993	4,336	9,310	2,598	6,934	.584	.894	10,608	10,284
Vida Sugars, Inc.	7,021	.482	5,308	.482	2,095	4,998	1,395	3,490	.294	.444	5,268	5,107
A. Wilbert's Sons Lumber & Shingle Co.	14,117	.969	10,089	.900	5,735	8,807	2,458	8,193	.691	.900	10,679	10,353
Young's Industries, Inc.	7,569	.520	7,592	.677	2,715	4,827	1,347	4,062	.342	.519	6,158	5,970
Louisiana Subtotal	742,637	50.985	548,050	48.911	367,052	387,846	108,244	475,296	40.056	48.384	574,108	562,655
Atlantic Sugar Association, Inc.	40,383	2.773	32,159	2.870	41,343	58	16	41,359	3.486	2.935	34,826	36,405
Florida Sugar Corp.	25,436	1.746	14,906	1.330	24,149	2,992	835	24,984	2.105	1.735	20,587	21,265
Glades County Sugar Growers Co-op Association	42,973	2.950	43,317	3.866	44,260	0	0	44,260	3.730	3.289	39,026	39,026
Oseola Farms Co.	61,028	4.190	46,320	4.134	62,487	0	0	62,487	5.266	4.394	52,138	55,024
South Puerto Rico Sugar Co., Inc.	94,216	6.468	74,848	6.680	92,547	5,571	1,555	94,102	7.931	6.803	80,722	81,493
Sugarcane Growers Co-op of Florida	126,898	8.712	103,638	9.249	130,095	0	0	130,965	10.964	9.270	109,995	114,556
Talisman Sugar Corp.	46,791	3.213	42,292	3.775	48,219	79	22	48,241	4.065	3.496	41,482	42,460
United States Sugar Corp.	276,213	18.963	214,964	19.185	257,258	30,397	8,484	265,742	22.397	19.694	233,682	233,682
Florida Subtotal	713,938	49.015	572,444	51.089	700,358	39,097	10,912	711,270	59.944	51.616	612,458	623,911
Total all mainland cane	1,456,575	100.000	1,120,494	100.000	1,067,410	426,943	119,156	1,186,566	100.000	100.000	1,186,566	1,186,566

See footnotes on next page.

¹ Effective inventory, Jan. 1, 1968, is the physical inventory, Jan. 1, 1968, plus processings from 1967-crop cane in 1968.

² The difference between 1,186,666 tons (quota for 1968 established by S.R. 811, less 100 tons reserve for Louisiana State University) and the total Jan. 1, 1968, effective inventories for all processors amounting to 1,067,410 tons. This difference of 119,156 tons prorated on the basis of each processor's average 1965-67 new-crop marketings.

³ Column (10) was determined by weighting "processings" Column (2) by 60 percent, "marketings" Column (4) by 20 percent, and "ability" Column (9) by 20 percent. Column (11) was determined by multiplying the quota, less 100 tons reserved for Louisiana State University, by Column (10).

⁴ Basic allotments (Column 11) which were less than the respective processors' Jan. 1, 1968, effective inventories were subject to upward adjustments by a total not to exceed 16,000 short tons, raw value, and the basic allotments of processors having

Jan. 1, 1968, effective inventories less than their basic allotments were reduced proportionately as necessary to make total adjusted allotments equal to the area quota less 100 tons reserve for Louisiana State University, except that no processor's basic allotment was reduced to a level less than the respective processor's Jan. 1, 1968, effective inventory. The basic allotments of those processors having Jan. 1, 1968, effective inventories larger than their basic allotments were subject to upward adjustments (not to exceed 16,000 tons) in the following manner: (1) The basic allotments of processors having physical inventories in excess of such allotments were increased to the level of the physical inventories, (2) the remainder of the 16,000 tons was added to the basic allotments of the other processors in such a manner that will not permit any processor to market a larger percentage of its Jan. 1, 1968, effective inventory by the use of this adjustment than other processors.

⁵ Adjusted allotment established to equal Jan. 1, 1968, physical inventory.

Pursuant to provisions of section 205(a) of the Act and in accordance with paragraph (e) of § 814.6 of this chapter, paragraph (a) of such § 814.6 is amended to read as follows:

§ 814.6 Allotment of the 1968 sugar quota for the Mainland Cane Sugar Area.

(a) The 1968 sugar quota for the Mainland Cane Sugar Area of 1,186,666 short tons, raw value, is hereby allotted to the following processors in the quantities which appear opposite their respective names:

Processors	Allotments (short tons, raw value)
Albania Sugar Co.	9,548
Alma Plantation, Ltd.	10,007
J. Aron & Co., Inc.	12,930
Billeaud Sugar Factory	8,190
Breaux Bridge Sugar Co-op	10,019
Wm. T. Burton Industries, Inc.	7,949
Caire & Graugnard	6,442
Cajun Sugar Co-op, Inc.	28,100
Caldwell Sugars Co-op, Inc.	14,069
Columbia Sugar Co.	8,145
Cora-Texas Manufacturing, Inc.	8,802
Dugas & LeBlanc, Ltd.	16,381
Duhe & Bourgeois Sugar Co.	9,893
Erath Sugar Co., Ltd.	5,522
Evan Hall Sugar Co-op, Inc.	23,708
Frisco Cane Co., Inc.	2,208
Glenwood Co-op, Inc.	16,623
Helvetia Sugar Co-op, Inc.	12,838
Iberia Sugar Co-op, Inc.	18,601
Lafourche Sugar Co.	17,968
Harry L. Laws & Co., Inc.	15,507
Lever-St. John, Inc.	12,102
Little Texas, Inc.	5,372
Louisa Sugar Co-op, Inc.	11,066
Louisiana State Penitentiary	4,083
Louisiana State University	100
Meeker Sugar Co-op, Inc.	12,245
Milliken & Farwell, Inc.	10,998
M. A. Patout & Son, Ltd.	14,828
Poplar Grove Planting & Refining Co.	9,145
Savoie Industries	16,220
St. James Sugar Co-op, Inc.	21,730
St. Mary Sugar Co-op, Inc.	14,575
South Coast Corp.	67,257
Southdown, Inc.	36,926
Sterling Sugars, Inc.	25,054
J. Supple's Sons Planting Co., Ltd.	5,890
Valentine Sugars, Inc.	10,284
Vida Sugars, Inc.	5,107
A. Wilbert's Sons Lumber & Shingle Co.	10,353
Young's Industries, Inc.	5,970
Louisiana Subtotal	562,755
Atlantic Sugar Association, Inc.	36,405
Florida Sugar Corp.	21,265
Glades Country Sugar Growers Co-op, Association	39,026
Osceola Farms Co.	55,024
South Puerto Rico Sugar Co., Inc.	81,493
Sugarcane Growers Co-op of Florida	114,556
Talisman Sugar Corp.	42,460
United States Sugar Corp.	233,682
Florida subtotal	623,911
Total, all mainland cane	1,186,666

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153, Secs. 205, 209; 61 Stat. 926, as amended, 928, as amended; 7 U.S.C. 1115, 1119)

Effective date. Allotments established in this order for almost all processors are larger than the allotments established in S.R. 814.6, Amdt. 3 (33 F.R. 9946). To afford adequate opportunity to plan and to market the additional quantities of sugar in an orderly manner, it is imperative that this amendment becomes effective as soon as possible. Accordingly, it is hereby found that compliance with the 30-day effective date requirement of 5 U.S.C. 553 (80 Stat. 378) is impracticable and contrary to the public interest and consequently, this amendment shall be effective when filed for public inspection in the office of the Federal Register.

Signed at Washington, D.C., on August 9, 1968.

H. D. GODFREY,

Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 68-9833; Filed, Aug. 13, 1968; 12:35 p.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Valencia Orange Reg. 251, Amdt. 1]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

(a) **Findings.** (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act by tending to establish and maintain such orderly marketing conditions for such oranges as will provide, in the interest of producers and consumers, an orderly flow of the supply thereof to market throughout the normal marketing season to avoid unreasonable fluctuations in supplies and prices, and is not for the pur-

pose of maintaining prices to farmers above the level which it is declared to be the policy of Congress to establish under the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the *FEDERAL REGISTER* (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restrictions on the handling of Valencia oranges grown in Arizona and designated part of California.

(b) **Order, as amended.** The provisions in paragraph (b) (1) (ii) of § 908.551 (Valencia Orange Regulation 251, 33 F.R. 11265) are hereby amended to read as follows:

§ 908.551 Valencia Orange Regulation 251.

(b) Order. * * *

* * *

(ii) District 2: 350,000 cartons.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: August 14, 1968.

PAUL A. NICHOLSON,
Deputy Director, Fruit and
Vegetable Division, Consumer
and Marketing Service.

[F.R. Doc. 68-9902; Filed, Aug. 16, 1968; 8:48 a.m.]

[Lemon Reg. 334]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.634 Lemon Regulation 334.

(a) **Findings.** (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said

amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act by tending to establish and maintain such orderly marketing conditions for such lemons as will provide, in the interest of producers and consumers, an orderly flow of the supply thereof to market throughout the normal marketing season to avoid unreasonable fluctuations in supplies and prices, and is not for the purpose of maintaining prices to farmers above the level which it is declared to be the policy of Congress to establish under the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held, the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this regulation will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on August 13, 1968.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period August 18, 1968, through August 24, 1968, are hereby fixed as follows:

- (i) District 1: Unlimited movement;
 - (ii) District 2: 265,050 cartons;
 - (iii) District 3: Unlimited movement.
- (2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: August 15, 1968.

PAUL A. NICHOLSON,
Deputy Director, Fruit and
Vegetable Division, Consumer
and Marketing Service.

[F.R. Doc. 68-9930; Filed, Aug. 16, 1968;
8:49 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[Honey Price Support Regs. for 1968 and Subsequent Crops, Amdt. 2]

PART 1434—HONEY

Subpart—Honey Price Support Regulations

The regulations issued by the Commodity Credit Corporation, published in 33 F.R. 5203, and setting forth the requirements with respect to price support for the 1968 and each subsequent crop of extracted honey for which a price support program is authorized, are hereby amended as follows:

Subparagraph (a)(1) of § 1434.9 is amended to provide that approved farm storage shall be under the control of the producer and reads as follows:

§ 1434.9 Approved storage.

(a) * * *

(1) *Farm storage.* Approved farm storage shall consist of a storage structure located on or off the farm (excluding public warehouses) which is determined by the county committee to be under the control of the producer and to afford safe storage for honey.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 201, 401, 63 Stat. 1052, 1054; 15 U.S.C. 714c, 7 U.S.C. 1446, 1421)

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on August 13, 1968.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 68-9901; Filed, Aug. 16, 1968;
8:48 a.m.]

Title 12—BANKS AND BANKING

Chapter I—Bureau of the Comptroller of the Currency, Department of the Treasury

PART 11—PROXY STATEMENTS AND OTHER SOLICITATIONS UNDER SECTION 14 OF THE SECURITIES EXCHANGE ACT

PART 12—OWNERSHIP REPORTS BY CERTAIN PERSONS

In the FEDERAL REGISTER of August 15, 1968, on page 11587, there was published

miscellaneous amendments to Parts 11 and 12 of Title 12 of the Code of Federal Regulations. The following statement is issued to present considerations and factors involved in the promulgation of the amendments to Parts 11 and 12:

The amendments to Parts 11 and 12 of the regulations are adopted, effective immediately, to implement recent amendments to the Securities Exchange Act of 1934 contained in Public Law 90-439, which became effective July 29, 1968.

The new law requires disclosure of certain information with respect to acquisitions of more than 10 percent of a class of equity securities registered pursuant to section 12 of the Act, the making of tender offers or solicitations in favor of, or in opposition to, such tender offers, and the replacement of a majority of the directors of an issuer in connection with an acquisition, or tender offer, subject to the Act.

Section 12 of the Act applies to corporations whose securities are traded on exchanges and those with \$1 million of assets and 500 or more stockholders whose securities are traded over the counter.

The amendments to Parts 11 and 12 adopted by the Comptroller of the Currency implement the statutory provisions insofar as they apply to national banks.

The new regulations provide that no tender offer with respect to securities of a national bank covered by the Act shall be made unless certain information is filed with the Comptroller of the Currency and included in the advertisement containing the tender offer. For example, disclosure is required with respect to the identity and background of the persons making the tender offer and the source of funds used in the tender offer. Similar information is required to be filed with the Comptroller by persons acquiring a more than 10 percent stock interest in a bank by means other than through a tender offer. The regulation also applies to all recommendations to accept or reject the tender offer.

Since Public Law 90-439 was effective on July 29, 1968, the enclosed regulations are also effective immediately. However, any comments or suggestions that interested persons may wish to make with respect to these regulations should be addressed to the Comptroller of the Currency, Washington, D.C. 20220. All comments and suggestions will be carefully considered and changes deemed necessary in light of comments received or further experience with the Act will be made later by amendment to the regulations.

Dated: August 9, 1968.

[SEAL] WILLIAM B. CAMP,
Comptroller of the Currency.

[F.R. Doc. 68-10035; Filed, Aug. 16, 1968;
12:01 p.m.]

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[22,010]

PART 545—OPERATIONS

Borrowing, Issuance of Obligations, and Giving of Security

AUGUST 8, 1968.

Resolved that the Federal Home Loan Bank Board considers it desirable to amend as a result of an amendment to subsection (b) of section 5 of the Home Owners' Loan Act of 1933 (12 U.S.C. 1464) contained in the Housing and Urban Development Act of 1968 (Public Law 90-448, 90th Congress, approved August 1, 1968), Part 545 of the rules and regulations for the Federal Savings and Loan System (12 CFR 545) for the purpose of authorizing by regulation certain borrowing by Federal savings and loan associations, issuance of notes, bonds, debentures, or other obligations, or other securities by such associations, and the giving of security in certain instances by such associations and, for such purpose, said Part 545 is hereby amended by adding after § 545.23 a new heading and a new § 545.24 to read as follows, effective August 8, 1968:

BORROWING, ISSUANCE OF OBLIGATIONS, AND GIVING OF SECURITY

§ 545.24 Borrowing, issuance of obligations, and giving of security.

An association may borrow to such extent as is authorized by the terms of its charter or by the Board by advice in writing. An association may issue such notes, bonds, debentures, or other obligations, or other securities, as are not inconsistent with the terms of paragraph (2) of subsection (b) of section 5 of the Home Owners' Loan Act of 1933, as amended, to the same extent that it would have authority to do so if said paragraph (2) had not been enacted or to such extent as is authorized by the Board by advice in writing. To such extent as is authorized by the terms of its charter or by the Board by advice in writing, an association may give security, but an association shall not give security for any of its shares or share accounts or for any of its savings accounts representing share interests in the association.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-48 Comp., p. 1071)

Resolved further that, since affording notice and public procedure on the above amendment would delay it from becoming effective for a period of time and since it is essential that Federal savings and loan associations immediately have the authority contained in the amendment, the Board hereby finds that notice and public procedure on said amendment is contrary to the public interest under the provisions of § 508.12 of the general regulations of the Federal Home Loan Bank Board (12 CFR 508.12) or 5 U.S.C. 553(b), and publication of said amendment for the period specified in § 508.14

of the General Regulations of the Federal Home Loan Bank Board (12 CFR 508.14) and 5 U.S.C. 553(d) prior to the effective date of said amendment would in the opinion of the Board likewise be contrary to the public interest for the same reason, and the Board hereby so finds, and the Board hereby provides that said amendment shall become effective as hereinbefore set forth.

By the Federal Home Loan Bank Board.

[SEAL]

JACK CARTER,
Secretary.

[F.R. Doc. 68-9908; Filed, Aug. 16, 1968;
8:49 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter X—Office of Foreign Direct Investments, Department of Commerce

PART 1000—FOREIGN DIRECT INVESTMENT REGULATIONS

Miscellaneous Amendments and Corrections

On July 20, 1968, a notice of proposed rule making was published in the FEDERAL REGISTER (33 F.R. 10403) relating to the addition of a new Subpart I (Direct and Indirect Interests; Affiliated, Associated and Family Groups; Ownership of Direct Investors; Rules for Reporting) to the Foreign Direct Investment Regulations (the "regulations") (15 CFR Part 1000), to the revocation of § 1000.303 (Nationals of more than one foreign country), and to amendments to §§ 1000.302 (Foreign national), 1000.304 (Direct investor), 1000.305 (Affiliated foreign national), 1000.307 (Person) and 1000.322 (Person within the United States). After consideration of all relevant matter submitted by interested persons, Subpart I and such miscellaneous amendments as so proposed are hereby adopted, subject to certain modifications, effective as of the effective date of the regulations.

The other miscellaneous amendments and corrections contained herein were not published in proposed form as such publication was not deemed necessary or desirable in the public interest. Such amendments and corrections, which affect §§ 1000.201 (prohibited direct investment in affiliated foreign nationals), 1000.203 (Liquid foreign balances), 1000.308 (Transfer), 1000.311 (Banking institution), 1000.312 (Transfers of capital), 1000.313 (Net transfer of capital), 1000.324 (Long-term foreign borrowing), 1000.403 (Transactions between principal and agent), 1000.503 (Positive direct investment not exceeding \$100,000), 1000.504 (Authorized positive direct investment in scheduled areas), 1000.505 (Transfers between affiliated foreign nationals), 1000.805 (Rules governing availability of information), 1000.806 (Delegations), and 1000.1103 (Net transfer of

capital to Schedule B countries), are hereby adopted, effective as of the effective date of the regulations. The only major substantive change effected by such miscellaneous amendments is to increase the worldwide positive direct investment authorization contained in § 1000.503 from \$100,000 to \$200,000 per annum.

The revision of § 1000.505 does not effect any significant substantive changes in the treatment of transfers between affiliated foreign nationals of a direct investor but clarifies the position of the Office with respect to such transfers, especially where branches or other unincorporated affiliated foreign nationals are involved. Section 1000.505 now makes clear that a transfer by an affiliated foreign national of a direct investor to another affiliated foreign national of the direct investor is treated as a transfer of capital to the direct investor by the transferor (or the immediate parent of the transferor) only if the transferor (or such immediate parent) is an incorporated affiliated foreign national, and is treated as a transfer of capital by the direct investor to the transferee (or the immediate parent of the transferee) only if the transferee (or such immediate parent) is an incorporated affiliated foreign national, provided, in each case, that either the actual transferor or transferee affiliated foreign national or both is an "affiliate" of the direct investor as defined in § 1000.903(a). If funds or other property are transferred between affiliated foreign nationals and either the actual transferor or transferee affiliated foreign national or both are unincorporated affiliated foreign nationals, any net increase or decrease in the net assets of the transferor or transferee unincorporated affiliated foreign national resulting from the transaction is automatically taken into account under § 1000.313(b) in calculating the net transfer of capital to all unincorporated affiliated foreign nationals in the scheduled area in which the unincorporated transferor or transferee affiliated foreign national is located. The following examples illustrate the provisions of § 1000.505 as amended hereby (in each case assume no other direct investment transactions and that Canadian affiliates are not involved):

Example 1. Direct investor has a wholly owned subsidiary in Schedule C and a branch in Schedule B. During 1968, the subsidiary lends \$200,000 to the branch on open account resulting in a \$200,000 open account balance at the end of 1968. During 1968, the branch has no earnings or losses but its net assets increase by \$300,000. The result is a \$200,000 negative net transfer of capital to Schedule C (i.e., the \$200,000 deemed transferred by the Schedule C subsidiary to the direct investor under § 1000.505(a)(2)) and a \$300,000 positive net transfer of capital to Schedule B (i.e., the positive net transfer of capital equalling the net increase in branch assets as provided in § 1000.313(b)).

Example 2. Same facts as in Example (1) except that the branch is a branch of another wholly owned subsidiary of the direct investor in Schedule A rather than a branch of the direct investor itself. The result is a \$300,000 positive net transfer of capital to Schedule B

(i.e., the net increase in branch assets), a \$200,000 negative net transfer of capital to Schedule C (i.e., the \$200,000 deemed transferred by the Schedule C subsidiary to the direct investor under § 1000.505 (a) (1) and (a) (3)) and a \$100,000 negative net transfer of capital to Schedule A (i.e., the \$200,000 deemed transferred by the direct investor to the Schedule A subsidiary under § 1000.505 (a) (1) and (a) (3) less the \$300,000 deemed transferred by the Schedule A subsidiary to the direct investor under § 1000.505(a) (6)).

Example 3. Same facts as in Example (2) except that the direct investor has only a 60 percent interest in the Schedule A subsidiary. The result is a \$180,000 positive net transfer of capital to Schedule B (i.e., 60 percent of the net increase in branch assets), a \$200,000 negative net transfer of capital to Schedule C (i.e., the \$200,000 deemed transferred by the Schedule C subsidiary to the direct investor under § 1000.505 (a) (1) and (a) (3)) and a \$20,000 positive net transfer of capital to Schedule A (i.e., the \$200,000 deemed transferred by the direct investor to the Schedule A subsidiary under § 1000.505 (a) (1) and (a) (3) less the \$180,000 deemed transferred by the Schedule A subsidiary to the direct investor under § 1000.505(a) (6)). If the direct investor owned an interest of 50 percent or less in the Schedule A subsidiary, the result would be \$200,000 negative net transfer of capital to Schedule C and a \$200,000 positive net transfer of capital to Schedule A. There would be no positive net transfer of capital to Schedule B (and hence no deduction from the positive net transfer of capital to Schedule A) since the direct investor is presumed to lack control over the flow of funds between a less than majority owned subsidiary and such subsidiary's branches (see § 1000.505(a) (4)).

Example 4. Same facts as in Example (2) except that the net assets of the branch decrease by \$100,000 during 1968. The result is a \$100,000 negative net transfer of capital to Schedule B (i.e., the net decrease in branch assets), a \$200,000 negative net transfer of capital to Schedule C (i.e., the \$200,000 deemed transferred by the Schedule C subsidiary to the direct investor under § 1000.505 (a) (1) and (a) (3)) and a \$300,000 positive net transfer of capital to Schedule A (i.e., the \$300,000 deemed transferred by the direct investor to the Schedule A subsidiary under § 1000.505(a) (6)).

Example 5. Direct investor has a wholly owned subsidiary in Schedule C which has a branch in Schedule A. During 1968, the branch incurs a loss of \$100,000 but has no change in its net assets. The result is a \$100,000 negative net transfer of capital to Schedule C (i.e., the amount deemed transferred by the Schedule C subsidiary to direct investor under § 1000.505(a) (6)). If the direct investor owned only 70 percent of the Schedule C subsidiary, the negative net transfer of capital to Schedule C would be \$70,000.

Example 6. Same facts as in Example (5) except that the branch's net assets increase by \$50,000 during 1968. The result is a \$50,000 positive net transfer of capital to Schedule A (i.e., the net increase in branch assets) and a \$150,000 negative net transfer of capital to Schedule C (i.e., the amount deemed transferred by the Schedule C subsidiary to direct investor under § 1000.505(a) (6)). If direct investor owned only 70 percent of the Schedule C subsidiary, the positive net transfer of capital to Schedule A would be \$35,000 and the negative net transfer of capital to Schedule C would be \$105,000.

Example 7. Same facts as in Example (5) except that the branch's net assets decrease by \$50,000 during 1968. The result is a \$50,000 negative net transfer of capital to Schedule A (i.e., the net decrease in branch assets) and a \$50,000 negative net transfer of capital

to Schedule C (i.e., the amount deemed transferred by the Schedule C subsidiary to direct investor under § 1000.505(a) (6)). If direct investor owned only 70 percent of the Schedule C subsidiary, the negative net transfer of capital to each of Schedules A and C would be \$35,000.

The principal modifications made in the proposed amendments of July 20, 1968 are as follows:

1. The election provided for in proposed § 1000.906(b) (1) has been expanded so that it will be available where the "principal direct investor" is an affiliated group. The election will also be available if there are more than ten (10) persons owning direct interests in the principal direct investor if the Secretary determines, in his sole discretion, to permit the election. In exercising his discretion, the Secretary may consider, among other things, whether permitting the election would create substantial administrative difficulties in the application of the regulations or would prejudice other persons.

2. A provision has been added to proposed § 1000.906 concerning the effect of an election under § 1000.906(b) (1). If such an election is made, no positive direct investment made during any year by a "consenting owner" in an affiliated foreign national of the principal direct investor shall be authorized by § 1000.503 if the positive direct investments made by all consenting owners in all affiliated foreign nationals of the principal direct investor, when added together, exceed \$200,000.

3. Proposed § 1000.304 (Affiliated foreign national) has been modified to make clear that a foreign corporation or partnership, as well as a "business venture", is not an affiliated foreign national if its operations consist solely of charitable, educational, religious, scientific, literary, or other similar activities not engaged in for profit; however, the exemptions relating to foreign enterprises with gross assets of not more than \$50,000 or which are not conducted within one or more foreign countries for more than 12 consecutive months apply only to "business ventures" referred to in § 1000.304(a) (1) (i) and (iii) but not to foreign corporations or partnerships described in § 1000.304(a) (1) (i). Proposed § 1000.304 has also been revised to make clear that, in determining whether a branch of a foreign corporation or partnership is a separate affiliated foreign national of a direct investor, Canada is deemed to be in a scheduled area other than Schedule B. Thus, for example, the United Kingdom branch of a Canadian corporation is a separate affiliated foreign national, and vice versa.

The elections provided by §§ 1000.906 (b) (1) and 1000.907(c) (2) of Subpart I as adopted hereby are available to all persons within the United States (as defined in § 1000.322) which come within the provisions thereof, regardless of any elections or failures to elect under the original instructions to form FDI-101 or the provisions of Subpart I as published in proposed form on April 30, 1968 (33 F.R. 6546-6552). Consequently, material changes may be required in previously

filed forms FDI-101 and FDI-102 because of the exercise or failure to exercise an election under Subpart I as adopted hereby or because of the effect of other provisions of Subpart I. Any person which is presently subject to the reporting requirements of § 1000.602 and which is eligible to make an election under § 1000.906(b) (1) or § 1000.907(c) (2) must make such election, if at all, by September 20, 1968. In addition, any person who has filed a form FDI-101 should, if material changes therein are required, file an amended form reflecting such changes by September 20, 1968; if material changes are required in a previously filed form FDI-102 for the first calendar quarter of 1968, such changes should be reflected in the FDI-102 for the second calendar quarter which is also due by September 20, 1968. Any person who has not filed a form FDI-101 but who is required to do so by virtue of any provision of Subpart I, should file the required form (together with a form FDI-102 for the second calendar quarter of 1968) by the same date. Any new or amended forms shall clearly refer to prior forms superseded or affected.

The reporting and record-keeping requirements provided herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942, as amended.

The amendments adopted and corrections made hereby are as follows:

1. Section 1000.201 is hereby amended by revising paragraph (d) to read as follows:

§ 1000.201 Prohibited direct investment in affiliated foreign nationals.

(d) In addition to all other powers reserved to the Secretary in this part, the Secretary may in his discretion, as to any direct investor, amend or revoke the authorizations set forth in §§ 1000.503 and 1000.504 by reducing the amount of positive direct investment, positive net transfers of capital and reinvestment of earnings authorized in any scheduled area during a year, by limiting the application of such authorizations and exemptions and of § 1000.201 from "during any year" to periods shorter than a year, and by otherwise imposing such conditions as the Secretary shall deem appropriate to carry out the purposes of this part. In exercising his discretion with respect to any direct investor, the Secretary may consider, among other factors, the following:

(1) Whether the positive direct investment, positive net transfers of capital or reinvestment of earnings by such direct investor in any scheduled area during any quarter is, or may reasonably be estimated to be, materially in excess of 25 percent of the amount thereof generally authorized to such direct investor during the year;

(2) Whether the transactions resulting in such excess during such quarter are in accordance with the customary business practices of the direct investor; and

(3) Whether the direct investor has complied with the provisions of Subpart F of this part.

2. Paragraph (a) (3) of § 1000.203 is hereby corrected by inserting after the words "long-term" the word "foreign." As corrected, paragraph (a) (3) reads as follows:

§ 1000.203 Liquid foreign balances.

(a) * * *

(3) The term "direct investment liquid foreign balances" means liquid foreign balances (as defined in subparagraph (2) of this paragraph) which represent the proceeds of long-term foreign borrowings by a direct investor (as defined in § 1000.324) and which are held by the direct investor primarily in anticipation of making transfers of capital to affiliated foreign nationals of the direct investor.

3. Paragraph (e) (1) of § 1000.203 is hereby corrected by changing the reference to paragraph "(b) (1)" to paragraph "(c)." As corrected, paragraph (e) (1) reads as follows:

§ 1000.203 Liquid foreign balances.

(e) (1) A direct investor shall not be required to comply with the provisions of paragraph (c) of this section at any time when the total foreign balances of the direct investor do not exceed \$25,000.

4. Section 1000.302 is hereby revised to read as follows:

§ 1000.302 Foreign national.

(a) The term "foreign national" means a foreign country (as defined in § 1000.301 (a), (b), and (c)) and any person which is not a person within the United States (as defined in § 1000.322), including a corporation or partnership organized under the laws of a foreign country (as defined in § 1000.304 (a) (1) (i)), a business venture conducted within a foreign country (as defined in § 1000.304 (a) (1) (ii) and (iii)), and a foreign bank (as defined in § 1000.317 (b)).

(b) Notwithstanding the provisions of paragraph (a) of this section, the Secretary retains full power to determine that any person is a foreign national.

5. Section 1000.303 (Nationals of more than one foreign country) is hereby revoked.

§ 1000.303 [Revoked]

6. Section 1000.304 is hereby revised to read as follows:

§ 1000.304 Affiliated foreign national.

(a) (1) Except as provided in paragraphs (b) (4) (c), and (d) of this section, the term "affiliated foreign national" of a person within the United States includes each of the following in which such person owns, directly or indirectly, a 10-percent interest:

(i) A corporation or partnership organized under the laws of a foreign country (including all business ventures

conducted by employees or partners of such corporation or partnership on behalf of such corporation or partnership within any foreign countries assigned to the same scheduled area as the country of organization);

(ii) A business venture conducted within a foreign country on behalf of such person within the United States by such person or by employees or partners of such person; and

(iii) A business venture conducted on behalf of a corporation or partnership organized under the laws of a foreign country by employees or partners of such corporation or partnership if the business venture is conducted within a foreign country which is not assigned to the same scheduled area as the country of organization.

For purposes of determining whether a business venture conducted on behalf of a foreign corporation or partnership is a separate affiliated foreign national, Canada shall be deemed to be in a scheduled area other than Schedule B.

(b) (1) A corporation or partnership referred to in paragraph (a) (1) (i) of this section is an affiliated foreign national in the scheduled area in which the foreign country under whose laws it is organized is located. A business venture referred to in paragraph (a) (1) (ii) and (iii) of this section is an affiliated foreign national in the scheduled area in which the business is conducted: *Provided*, That, if such a business venture is conducted in more than one scheduled area during any year, the scheduled area in which the business venture is conducted for the greatest period of time during such year shall, for purposes of this section, be deemed the only scheduled area in which the business venture is conducted during such year.

(2) The term "10 percent interest," when used with respect to any corporation, partnership or business venture referred to in paragraph (a) (1) of this section, means (i) 10 percent or more of the total combined voting power of all outstanding securities of such corporation or (ii) 10 percent or more of the profits interest in such partnership or business venture. Whether a person within the United States directly or indirectly owns a 10 percent interest in a corporation, partnership or business venture referred to in paragraph (a) (1) of this section shall be determined in accordance with the provisions of §§ 1000.901 and 1000.902.

(3) For purposes of this part, the term "incorporated affiliated foreign national" includes a corporation described in paragraph (a) (1) (i) of this section and the term "unincorporated affiliated foreign national" includes a partnership described in paragraph (a) (1) (i) of this section and a business venture described in paragraph (a) (1) (ii) and (iii) of this section.

(4) Notwithstanding the provisions of paragraph (a) of this section and the foregoing provisions of this paragraph (b), the Secretary retains full power, with respect to any person within the

United States, to determine that any person is an affiliated foreign national of such person within the United States and to determine the scheduled area in which such affiliated foreign national is located.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a corporation, partnership or business venture referred to in paragraph (a) (1) of this section shall not be considered an affiliated foreign national of a person within the United States if the operations of such corporation, partnership or business venture consist solely of charitable, educational, religious, scientific, literary or other similar activities not engaged in for profit.

(d) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a business venture referred to in paragraph (a) (1) (ii) or (iii) of this section shall not be considered an affiliated foreign national of a person within the United States during any year if (i) the business venture does not have or involve, at any time during such year, gross assets of more than \$50,000 (valued at the greatest of cost, book value, replacement value or market value); or (ii) the business venture is commenced during such year and is not reasonably expected to be conducted within one or more foreign countries for more than 12 consecutive months; or (iii) the business venture is terminated during such year and was not in fact conducted within one or more foreign countries for more than 12 consecutive months.

7. Section 1000.305 is hereby revised to read as follows:

§ 1000.305 Direct investor.

The term "direct investor" means any person within the United States which directly or indirectly owns or acquires a 10-percent interest in a corporation or partnership organized under the laws of a foreign country or in a business venture conducted within a foreign country as described in § 1000.304.

8. Section 1000.307 is hereby revised to read as follows:

§ 1000.307 Person; corporation.

(a) The term "person" means an individual, corporation, partnership, business venture, trust, or estate.

(b) The term "corporation" means an organization or entity incorporated under the laws of the United States or a foreign country and any other organization or entity not so incorporated but which is organized under the laws of the United States or a foreign country and has all or a substantial part of the legal characteristics commonly attributed to corporations under the laws of the United States.

9. Section 1000.308 is hereby revised to read as follows:

§ 1000.308 Transfer.

The term "transfer" means any act or transaction, whether or not evidenced by writing and whether or not done or performed within the United States, the purpose, intent, or effect of which is to create, surrender, release, transfer, or alter, directly or indirectly, any right,

remedy, power, privilege, or interest with respect to any property wherever located.

10. Section 1000.311 (Banking institution) is hereby revoked.

§ 1000.311 [Revoked]

11. Section 1000.312 is hereby amended by revising subparagraph (7) of paragraph (a) and subparagraphs (1), (2), and (10) of paragraph (c), as follows:

§ 1000.312 Transfers of capital.

(a) * * *

(7) The complete or partial satisfaction by a direct investor of (i) a long-term foreign borrowing made by the direct investor before or after the effective date of the regulations to the extent the proceeds of the borrowing were expended in making transfers of capital on or after January 1, 1965, or were allocated by the direct investor (on the books and records maintained by the direct investor under §§ 1000.203(b) and 1000.601) to any such transfers, or (ii) a borrowing (other than a long-term foreign borrowing) made by the direct investor from a foreign national (other than an affiliated foreign national) before the effective date of the regulations to the extent the proceeds of the borrowing were expended in making transfers of capital during 1967.

A transfer of capital resulting from the repayment of a borrowing by a direct investor shall be deemed to have been made to the scheduled area in which the proceeds of the borrowing are invested, or to which they have been allocated, at the time of such repayment; or, if the proceeds are then invested in or allocated to two or more scheduled areas, the transfer shall be apportioned among such scheduled areas in the same proportions as the proceeds are so invested or allocated. If any apportionment made by a direct investor hereunder is determined by the Secretary to be inconsistent with the purposes of this part, the Secretary shall have the right, in his discretion, to make an apportionment consistent with the purposes of this part.

(c) * * *

(1) An acquisition by a direct investor described in paragraph (a)(1) of this section if the acquisition is from a person within the United States acting for its own account and such person is, immediately prior to the time of the acquisition, a direct investor in the affiliated foreign national. If the person from whom the acquisition is made ceases, as a result of the acquisition, to be a direct investor in the affiliated foreign national (i) the net transfer of capital made by such person to the affiliated foreign national during the year the acquisition is made shall be deemed to have been made by the direct investor making the acquisition and (ii) the direct investment made by such person in the affiliated foreign national during the years 1964, 1965, and 1966 shall be deemed to have been made by the direct investor making the

acquisition. If the person from whom the acquisition is made does not, as a result of the acquisition, cease to be a direct investor in the affiliated foreign national, only that portion of such net transfer of capital and such direct investment reasonably allocable to the interest acquired shall be deemed to have been made by the direct investor making the acquisition.

(2) A transfer described in paragraph (a)(5) of this section unless (i) the transferee is the direct investor or (ii) the transferor or transferee is an affiliated foreign national which is an affiliate of the direct investor as defined in § 1000.903(a).

(10) The payment by the licensee under a license agreement of royalties currently due (including prepayments of royalties if such prepayments are customarily made by licensees under agreements of the type involved).

12. Paragraph (b) of § 1000.313 is hereby corrected by deleting the word "of" and inserting the word "or" following the word "losses" in the first sentence of such paragraph. As corrected, paragraph (b) reads as follows:

§ 1000.313 Net transfer of capital.

(b) A net transfer of capital (which may be a positive or negative amount) by a direct investor to all unincorporated affiliated foreign nationals in any scheduled area during any period means the direct investor's share of the aggregate net increase or net decrease, during such period, in the aggregate net assets of such affiliated foreign nationals (whether such net increase or decrease results from any transfer of capital (as defined in § 1000.312), earnings, or losses or any combination thereof). In calculating the net assets of all unincorporated affiliated foreign nationals in any scheduled area, there shall be excluded (1) all equity interests in and debt obligations of such unincorporated affiliated foreign nationals held by the direct investor or affiliated foreign nationals of the direct investor in other scheduled areas and (2) all assets of such unincorporated affiliated foreign nationals consisting of equity interests in or debt obligations of the direct investor or affiliated foreign nationals of the direct investor in other scheduled areas.

13. Section 1000.313 is hereby further amended by revising paragraph (d)(1) to read as follows:

(d) * * *

(1) There shall be deducted an amount equal to the proceeds of long-term foreign borrowings made by the direct investor during the year in which such period is included or during prior years to the extent such proceeds were in fact expended in making transfers of capital to such affiliated foreign nationals during such period or were al-

located by the direct investor (on the books and records maintained by the direct investor under §§ 1000.203(b) and 1000.601) to any such transfers of capital; and

14. Section 1000.322 is hereby revised to read as follows:

§ 1000.322 Person within the United States.

(a) The term "person within the United States" means:

(1) An individual who is a resident of the United States;

(2) An individual, wherever residing, who is a citizen of the United States and the center of whose economic interests is located within the United States;

(3) A corporation or partnership organized under the laws of the United States (excluding a branch of such a corporation or partnership if the branch is a separate foreign national under § 1000.302);

(4) A trust (other than a trust which is deemed a corporation under § 1000.307(b)) governed by the laws of the United States if the grantor of the trust is, or the person under whose will the trust was created was at the time of his death, a person within the United States;

(5) An estate, if the decedent was a person within the United States at the time of his death;

(6) A domestic bank (as defined in § 1000.317(a));

(7) An affiliated group (as defined in § 1000.903); and

(8) A family group (as defined in § 1000.904).

(b) Notwithstanding the provisions of paragraph (a) of this section, the Secretary retains full power to determine that any person is a person within the United States.

§ 1000.324 [Amended]

15. Paragraph "(b)(i)" of § 1000.324 (Long-term foreign borrowing) is hereby redesignated paragraph "(b)(1)."

16. Section 1000.324 is hereby further amended by revising paragraph (d) to read as follows:

§ 1000.324 Long-term foreign borrowing.

(d) In calculating the amount of proceeds of a long-term foreign borrowing which are available to a direct investor to be expended in or allocated to the making of transfers of capital to affiliated foreign nationals at any time, there shall be deducted the amount of such proceeds of the borrowing as was theretofore expended in or allocated to the making of transfers of capital to affiliated foreign nationals.

17. Section 1000.403 (Transactions between principal and agent) is hereby revoked.

§ 1000.403 [Revoked]

18. Section 1000.503 is hereby amended by revising paragraphs (a) and (c) to read as follows:

§ 1000.503 Positive direct investment not exceeding \$200,000.

(a) Positive direct investment by a direct investor during any year is authorized in each scheduled area: *Provided*, That, positive direct investment in any one scheduled area shall not exceed \$200,000; *And provided further*, That the positive direct investments made by the direct investor in each scheduled area, when added together, shall not exceed \$200,000.

(c) If positive direct investment by a direct investor during any year in any scheduled area exceeds \$200,000, or if the positive direct investments made by the direct investor in each scheduled area during such year, when added together, exceed \$200,000, no positive direct investment made by the direct investor during such year in any scheduled area shall be authorized by this section.

19. Section 1000.504 is hereby amended by revising paragraph (c) (3) to read as follows:

§ 1000.504 Authorized positive direct investment in scheduled areas.

(3) (i) If, during any year commencing with the year 1968, the incorporated affiliated foreign nationals of a direct investor in Schedule C countries have total losses (calculated as provided in § 1000.306(c)), the direct investor is authorized to reinvest additional earnings of its incorporated affiliated foreign nationals in Schedule C countries, during the immediately following year, up to the amount of the direct investor's share of such losses.

(ii) If, during any year commencing with the year 1969, the incorporated affiliated foreign nationals of a direct investor in Schedule C countries have total earnings (calculated as provided in § 1000.306(c)) but the amount of earnings authorized to be reinvested by the direct investor under paragraph (a) (3) of this section exceeds the direct investor's share of such total earnings, the direct investor is authorized to reinvest additional earnings of its incorporated affiliated foreign nationals in Schedule C countries, during the immediately following year, up to the amount of such excess.

20. Section 1000.505 is hereby amended to read as follows:

§ 1000.505 Transfers between affiliated foreign nationals.

(a) (1) For purposes of the succeeding provisions of this § 1000.505, (i) if funds or other property are transferred by an unincorporated affiliated foreign national of a direct investor to the direct investor or to another affiliated foreign national of the direct investor, the funds or property shall, if the transferee is not the immediate parent of the transferor affiliated foreign national, be treated as having been transferred by such immediate parent and (ii) if funds or other property are transferred to an unincorporated affiliated foreign national of a

direct investor by the direct investor or by another affiliated foreign national of the direct investor, the funds or property shall, if the transferor is not the immediate parent of the transferee affiliated foreign national, be treated as having been transferred to such immediate parent: *Provided, in each case*, That the immediate parent is the direct investor or an incorporated affiliated foreign national of the direct investor and that such immediate parent is not the immediate parent of both the transferor and transferee affiliated foreign national.

(2) For purposes of §§ 1000.312 and 1000.313(a), (i) if funds or other property are deemed under subparagraph (1) (ii) of this paragraph to have been transferred by an incorporated affiliated foreign national of a direct investor to the direct investor, the transfer shall be treated as a transfer of capital by the incorporated affiliated foreign national to the direct investor (in an amount equal to the full amount or value of the funds or property so transferred) and (ii) if funds or other property are deemed under subparagraph (1) (i) of this paragraph to have been transferred by the direct investor to an incorporated affiliated foreign national of the direct investor, the transfer shall be treated as a transfer of capital by the direct investor to the incorporated affiliated foreign national (in an amount equal to the full amount or value of the funds or property so transferred): *Provided, in each case*, That either the affiliated foreign national actually transferring the funds or other property or the affiliated foreign national actually receiving such funds or other property is an affiliate of the direct investor as defined in § 1000.903(a) and that the transfer, if actually made by or to the direct investor, as the case may be, would have constituted a transfer of capital under § 1000.312.

(3) For purposes of §§ 1000.312 (a) and (b) and 1000.313(a), if funds or other property are transferred (or deemed under paragraph (a) (1) to have been transferred) by an incorporated affiliated foreign national of a direct investor to another incorporated affiliated foreign national of such direct investor, the transfer shall be treated as a transfer of capital by the transferor affiliated foreign national to the direct investor (in an amount equal to the full amount or value of the funds or property so transferred) and as a further transfer of capital in an equivalent amount by the direct investor to the transferee affiliated foreign national: *Provided*, That the affiliated foreign national actually transferring the funds or other property or the affiliated foreign national actually receiving such funds or other property is an affiliate of the direct investor as defined in § 1000.903(a) and that the transfer, if actually made by the direct investor, would have constituted a transfer of capital under § 1000.312(a).

(4) In calculating the net transfer of capital made by a direct investor during any period to all unincorporated affiliated foreign nationals in a scheduled

area under § 1000.313(b), the direct investor shall be deemed not to have any share in a net increase or decrease in the net assets of an unincorporated affiliated foreign national in the scheduled area if the immediate parent of such unincorporated affiliated foreign national is not the direct investor or an affiliate of the direct investor as defined in § 1000.903(a).

(5) For purposes of §§ 1000.312(a) and 1000.313(a), if an unincorporated affiliated foreign national of a direct investor has a net decrease in its net assets during any period, the direct investor shall be deemed to have made a transfer of capital to the immediate parent of such unincorporated affiliated foreign national to the extent that the direct investor's share of such net decrease is not attributable to losses incurred by the unincorporated affiliated foreign national during such period: *Provided*, That such immediate parent is an incorporated affiliated foreign national and is an affiliate of the direct investor as defined in § 1000.903(a).

(6) For purposes of §§ 1000.312(b) and 1000.313(a), (i) if an unincorporated affiliated foreign national of a direct investor has a net increase in its net assets during any period, the immediate parent of such unincorporated affiliated foreign national shall be deemed to have made a transfer of capital to the direct investor to the extent that the direct investor's share of such net increase is not attributable to earnings of the unincorporated affiliated foreign national during such period, and (ii) if an unincorporated affiliated foreign national of a direct investor incurs a loss during any period but such unincorporated affiliated foreign national has no change or has a net increase in its net assets during such period, or has a net decrease in its net assets during such period but the loss exceeds the net decrease in net assets, the immediate parent of such unincorporated affiliated foreign national shall be deemed to have made a transfer of capital to the direct investor in an amount equal to (a) the direct investor's share of the loss, (b) the direct investor's share of the net increase in net assets plus the direct investor's share of the loss or (c) the amount by which the direct investor's share of the loss exceeds the direct investor's share of the net decrease in net assets, as the case may be: *Provided, in each case*, That the immediate parent of the unincorporated affiliated foreign national is an incorporated affiliated foreign national and is an affiliate of the direct investor as defined in § 1000.903(a).

(b) Notwithstanding anything to the contrary contained in paragraph (a) of this section, a trade credit extended by one affiliated foreign national of a direct investor to another affiliated foreign national of such direct investor in the ordinary course of business pursuant to arm's-length terms shall not be deemed a transfer of capital by the direct investor to the affiliated foreign national receiving the credit nor a transfer of

capital by the affiliated foreign national extending the credit to the direct investor if the obligation is in fact paid within 12 months after extension of the credit, in which event payment of the obligation shall not be deemed a transfer of capital by the direct investor to the affiliated foreign national receiving payment nor a transfer of capital by the affiliated foreign national making payment to the direct investor. If the affiliated foreign national extending or receiving the credit is an unincorporated affiliated foreign national of the direct investor and the obligation is in fact paid within 12 months, any change in the net assets of the unincorporated affiliated foreign national attributable to the transaction shall not be taken into account under § 1000.313(b) in calculating the net transfer of capital made by the direct investor to all unincorporated affiliated foreign nationals in the scheduled area in which such unincorporated affiliated foreign national is located.

(c) For purposes hereof, the immediate parent of a partnership referred to in § 1000.304(a)(1)(i) is the direct investor or affiliated foreign national which is the partner, the immediate parent of a business venture referred to in § 1000.304(a)(1)(ii) is the direct investor, and the immediate parent of a business venture referred to in § 1000.304(a)(1)(iii) is the corporation or partnership on whose behalf the business venture is conducted.

21. Section 1000.805 is hereby amended to read as follows:

§ 1000.805 Rules governing availability of information.

(a) Completed Forms FDI-101 and -102, applications and requests for specific authorizations, exemptions or interpretations, petitions for reconsideration, appeals, materials submitted thereunder, and decisions thereon are considered to be matters covered by 5 U.S.C. 552(b). Other information, records, and material of the Office of Foreign Direct Investments required by 5 U.S.C. 552 to be made available to the public shall be made available in accordance with the provisions of Department order 64 of the Secretary of Commerce (32 F.R. 9643, July 4, 1967).

(b) Forms FDI-101 and -102 and any other forms used in connection with the Foreign Direct Investment Regulations may be obtained in person from or by writing to the Office of Foreign Direct Investments, Department of Commerce, Washington, D.C. 20230, or any Field Office of the Department.

22. A new § 1000.806 is added to read as follows:

§ 1000.806 Delegations.

Any function, duty or authority under this part may be performed or exercised by the Secretary or any person, agency or instrumentality designated by him (directly or indirectly by one or more re-delegations of authority); and the term "Secretary," as used in this part, shall include any such designated person, agency, or instrumentality, as applicable.

23. A new Subpart I is added to read as follows:

Subpart I—Direct and Indirect Interests; Affiliated, Associated and Family Groups; Ownership of Direct Investors; Rules for Reporting

Sec.	
1000.901	Direct interests.
1000.902	Indirect interests.
1000.903	Affiliated groups.
1000.904	Family groups.
1000.905	Associated groups.
1000.906	Ownership of direct investors.
1000.907	Reporting.

AUTHORITY: The provisions of this Subpart I issued under sec. 5, Act of Oct. 6, 1917, 40 Stat. 415, as amended, 12 U.S.C. 95a; E.O. 11387, Jan. 1, 1963, 33 F.R. 47

Subpart I—Direct and Indirect Interests; Affiliated, Associated and Family Groups; Ownership of Direct Investors; Rules for Reporting

§ 1000.901 Direct interests.

A direct interest in a person is an interest which is not owned through an intervening person or chain of persons. The amount of a direct interest owned by one person in another person is calculated according to the following rules:

(a) The amount of a direct interest owned by a person in a corporation is the percentage of the total combined voting power of all outstanding securities of the corporation possessing voting power represented by such securities which are beneficially owned by such person or in respect of which such person beneficially owns voting trust certificates, depository receipts or other similar instruments representing such securities. Voting power means the power presently to vote in the election of the directors of the corporation or, if the corporation does not have directors, in the election or appointment of persons performing management functions or functions supervisory of management.

(b) The amount of a direct interest owned by a person in a partnership, trust, or business venture which is not a corporation is such person's percentage share in the profits of such organization: *Provided*, That if an interest in any such organization shall entitle the owner to a fixed amount out of, rather than a percentage of profits, or another arrangement is in effect which may cause the interest in profits to vary in accordance with future conditions or contingencies, the interest shall be calculated by reference to the proportion of the profits of the organization actually distributed or distributable to such person at the close of the most recent annual accounting period of the organization.

(c) If the rules set forth in paragraphs (a) or (b) of this section are not applicable to a particular corporation, partnership, trust or business venture in which such person owns an interest, the amount of the interest shall be calculated by any reasonable method which fairly reflects the amount thereof.

§ 1000.902 Indirect interests.

An indirect interest in a person is an interest owned through ownership of an intervening person or chain of persons.

The amount of an indirect interest owned by one person in another person is calculated by multiplying together the direct interests of each person in the chain in each person in the chain (treating stock of a higher tier corporation held by a lower tier corporation as not outstanding).

§ 1000.903 Affiliated groups.

(a) For purposes of paragraph (b) of this section, an "affiliate" of a person within the United States means any other person (other than an individual), wheresoever located, in which the aggregate of direct interests owned by such person within the United States and any affiliate or affiliates (as herein defined) of such person exceeds 50 percent.

(b) An "affiliated group" means a person within the United States and all of its affiliates which are persons within the United States; such person and such affiliates are members of the affiliated group. Any person which owns a direct or indirect interest in a member of an affiliated group but which is not itself a member thereof shall be deemed to own a direct or indirect interest, as the case may be, in the affiliated group.

(c) Except as provided in § 1000.906 (b)(1), the members of an affiliated group shall, for all purposes of this part, be considered a single person within the United States.

(d) An affiliated group shall file reports under § 1000.602 in the manner provided in § 1000.907.

§ 1000.904 Family groups.

(a) For all purposes of this part, an individual who is a person within the United States, his spouse (unless legally separated), and all relatives of such individual or his spouse residing with such individual shall be considered a single person within the United States.

(b) A family group shall file reports under § 1000.602 in the manner provided in § 1000.907.

§ 1000.905 Associated groups.

(a) An "associated group" consists of two or more persons within the United States (one or all of which may be an affiliated or family group) which, pursuant to an express or implied agreement or understanding, act in concert to own or acquire interests in the same corporation or partnership organized under the laws of a foreign country or in the same business venture conducted within a foreign country: *Provided*, That, the interests are not owned or acquired through a corporation, partnership (other than a joint venture) or trust which is a person within the United States (without regard to whether the corporation, partnership, or trust is organized or created for the purpose of owning or acquiring such interests); *And provided further*, That the aggregate of such interests would, if owned or acquired by only one of such persons, cause such person to be a direct investor in the corporation, partnership, or business venture under § 1000.305.

(b) (1) Notwithstanding the provisions of § 1000.305, each member of an

associated group shall be deemed a direct investor in the corporation, partnership, or business venture in which the interests are owned or acquired (hereinafter referred to as the "group affiliated foreign national") for all purposes of this part: *Provided*, That, a person which is a direct investor by virtue of this paragraph (b) (1) but not by virtue of the provisions of § 1000.305 shall not be subject to the provisions of § 1000.203.

(2) Notwithstanding the provisions of § 1000.503, no positive direct investment made during any year by any member of an associated group in a group affiliated foreign national of the associated group shall be authorized by § 1000.503 if the positive direct investments made during the year by all members of the associated group in all such group affiliated foreign nationals, when added together, exceed \$200,000.

(3) Unless the election referred to in § 1000.907(c) (2) has been made and approved by the Secretary, each member of an associated group shall file separate reports under § 1000.602 in the manner provided in § 1000.907.

§ 1000.906 Ownership of direct investors.

(a) (1) Unless the election provided for in paragraph (b) (1) of this section is made, no direct investment made or foreign balances held before or after the effective date by a direct investor shall be deemed to have been made or held by any other person within the United States because such other person owns or acquires a direct or indirect interest in such direct investor.

(2) A person within the United States which owns a direct or indirect interest in a direct investor may, depending on all the facts and circumstances of the particular case, be deemed to be acting for or on behalf of the direct investor if such person transfers funds or other property to affiliated foreign nationals of the direct investor.

(b) (1) Persons within the United States owning a direct interest in a direct investor may elect not to be governed by the rule set forth in paragraph (a) (1) of this section: *Provided*, That this election shall not, unless the Secretary in his sole discretion determines otherwise, be available if there are more than 10 persons (whether such persons are persons within the United States or foreign nationals) which own direct interests in such direct investor. For purposes of this paragraph (b), each member of an affiliated group shall be considered a separate person within the United States.

(2) An election pursuant to subparagraph (1) of this paragraph as to any direct investor shall be made with the consent of those persons within the United States owning, in the aggregate, a majority interest in such direct investor. The election shall be evidenced by a document executed by or on behalf of all persons consenting thereto (hereinafter referred to as the "consenting owners") and such document shall be filed promptly after its execution with the Program Reports Division, Office of

Foreign Direct Investments, U.S. Department of Commerce, Washington, D.C. 20230. All persons within the United States owning a direct interest in the direct investor shall be afforded a reasonable opportunity to join in the election and, if any persons within the United States owning a direct interest in the direct investor do not join in the election, the document evidencing the election shall recite that a reasonable opportunity to join in the election was in fact afforded to such persons.

(3) (i) Notwithstanding the provisions of § 1000.305, if an election pursuant to subparagraph (1) of this paragraph is made as to any direct investor (hereinafter referred to in this subparagraph (3) as the "principal direct investor"), each consenting owner shall be deemed a direct investor in every affiliated foreign national of the principal direct investor for all purposes of this part. The entire amount of direct investment made and foreign balances held by the principal direct investor before and after the effective date shall be deemed to have been made or held by the consenting owners. The portion of such foreign balances and direct investment allocable to each such consenting owner shall be a fraction thereof, the numerator of such fraction to be the direct interest in the principal direct investor owned by such consenting owner and the denominator of such fraction to be the aggregate of the direct interests in the principal direct investor owned by all consenting owners.

(ii) Notwithstanding the provisions of § 1000.503, no positive direct investment made (or deemed to have been made under subdivision (i) of this subparagraph) during any year by a consenting owner in an affiliated foreign national of the principal direct investor shall be authorized by § 1000.503 if the positive direct investments made or deemed to have been made during the year by all consenting owners in all affiliated foreign nationals of the principal direct investor, when added together, exceed \$200,000.

(4) Once an election is made pursuant to subparagraph (1) of this paragraph, it may not be changed without the permission of the Secretary.

§ 1000.907 Reporting.

(a) Except as provided in paragraph (b) (3) of this section (or unless a specific exemption from reporting is otherwise available) each person within the United States which is a direct investor by virtue of the provisions of §§ 1000.305, 1000.905(b) (1), or 1000.906(b) (3) (i), other than a direct investor as to which an election has been made under § 1000.906(b) (1), shall file separate reports (including Forms FDI-101 and FDI-102) under § 1000.602.

(b) (1) If a direct investor owns direct interests in one or more other direct investors as to which an election has been made under § 1000.906(b) (1) and such direct investor has consented to the election, the reports filed by the direct investor shall include, in addition to all other required information, the direct investor's fractional share (com-

puted in accordance with § 1000.906(b) (3) (i)) of the amount of foreign balances, direct investment and other items which such direct investors would have been required to include in their reports if the elections had not been made.

(2) If a direct investor owns indirect interests in one or more other direct investors, or owns direct interests in one or more other direct investors as to which an election has not been made under § 1000.906(b) (1) or as to which such an election has been made but the direct investor has not consented thereto, reports filed by the direct investor shall not include any foreign balances held or direct investment made by such other direct investors during the relevant period before or after the effective date or any other items required to be included in the reports of such other direct investors for such period.

(3) If, by virtue of the provisions of paragraph (b) (2) of this section, a direct investor has no foreign balances or direct investment transactions which are reportable by it for any period before or after the effective date, the direct investor shall not be required to file a Form FDI-101 or FDI-102 for such period.

(c) (1) If a direct investor is a member of one or more associated groups, the reports filed by the direct investor shall include, in addition to all other required information, the net transfers of capital made by the direct investor to all group affiliated foreign nationals during the relevant period, and, if any of the group affiliated foreign nationals are incorporated affiliated foreign nationals as defined in § 1000.304, shall also include the direct investor's proportionate share in the reinvested earnings of such incorporated affiliated foreign nationals during such period. A member of an associated group which is a direct investor under § 1000.905(b) (1) but not under § 1000.305 is not subject to the provisions of § 1000.203, and such member shall not report its foreign balances on Forms FDI-101 or FDI-102.

(2) Notwithstanding the foregoing, the members of an associated group may elect, by a document executed by or on behalf of a majority in interest of the members of the group and filed with the Program Reports Division, Office of Foreign Direct Investments, U.S. Department of Commerce, Washington, D.C. 20230, to have one member of the group file reports under § 1000.602 on behalf of all members, each such report to reflect the aggregate direct investment transactions of all members with all group affiliated foreign nationals during the relevant period before or after the effective date. Such election shall be subject to the approval of the Secretary who may grant such approval subject to any terms and conditions that he deems necessary. Once an election is made pursuant to this subparagraph (2), it may not be changed without the permission of the Secretary.

(d) If a direct investor is an affiliated or family group, the reports filed by the direct investor shall aggregate all foreign balances, direct investment transactions and other reportable items attributable

to each member of the group. The group's Forms FDI-101 and FDI-102 shall be filed on behalf of the group by one member thereof. Such member shall also file all other reports, certificates and other documents required to be filed by the group under the provisions of this part.

24. Section 1000.1103 is hereby amended by revoking paragraph (d) thereof and revising paragraph (c) to read as follows:

§ 1000.1103 Net transfer of capital to Schedule B countries.

(c) The provisions of § 1000.505(b) relating to the extension of short-term trade credits from one affiliated foreign national of a direct investor to another affiliated foreign national of the direct investor shall not be applicable if either the affiliated foreign national extending the credit or the affiliated foreign national receiving the credit is a Canadian affiliate.

(d) [Revoked]

(Sec. 5 of the Act of Oct. 6, 1917, 40 Stat. 415, as amended, 12 U.S.C. 95a; E.O. 11387, Jan. 1, 1968, 33 F.R. 47)

CHARLES E. FIERO,
Director, Office of
Foreign Direct Investments.

AUGUST 14, 1968.

[F.R. Doc. 68-9971; Filed, Aug. 16, 1968; 8:49 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4507]

[Los Angeles 0155815]

CALIFORNIA

Withdrawal for National Forest Administrative Sites and Recreation Areas

In F.R. Doc. 68-9164 appearing at page 10932 in the issue of Thursday, August 1, 1968, the fourth line under the center heading "Santa Ana Recreation Area" should read: "Sec. 8, NE¼, E½NW¼, E½NW¼NW¼, S½;"

Title 49—TRANSPORTATION

Chapter X—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 1000, Amdt. 1]

PART 1033—CAR SERVICE

Distribution of Refrigerator Cars

At a session of the Interstate Commerce Commission, Railroad Service

Board, held in Washington, D.C., on the 30th day of July 1968.

Upon further consideration of Service Order No. 1000 (33 F.R. 10401) and good cause appearing therefor:

It is ordered, that:

Section 1033.1000 *Service Order No. 1000* (Distribution of Refrigerator Cars), of Service Order No. 1000, be, and it is hereby amended by substituting the following paragraph (d) for paragraph (d) thereof:

(d) *Expiration date.* This order shall expire at 11:59 p.m., August 15, 1968, unless otherwise modified, changed, or suspended by the order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., July 31, 1968.

(Secs. 1, 12, 15, 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10-17), 15(4), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2))

It is further ordered, That copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-9886; Filed, Aug. 16, 1968; 8:47 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 28—PUBLIC ACCESS, USE, AND RECREATION

Necedah National Wildlife Refuge, Wis.

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER.

§ 28.28 Special regulations; public access, use, and recreation; for individual wildlife refuge areas.

WISCONSIN

NECEDAH NATIONAL WILDLIFE REFUGE

Public recreational activities are permitted on the Necedah National Wildlife Refuge subject to the following special conditions:

(1) Public recreational activities are limited to sightseeing, nature observation, and photography.

(2) General public recreational use is permitted as follows:

Area 1—September 20 through December 31, 1968.

Area 2—November 22 through December 31, 1968.

Area 3—December 7 through December 31, 1968.

These open areas, comprising approximately 39,500 acres, are delineated on a map available at the refuge headquarters, Necedah, Wis. 54646, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn. 55408.

The provisions of this special regulation supplement the regulations which govern public access, use, and recreation on Wildlife Refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective through December 31, 1968.

DAVID J. BROWN,
Refuge Manager, Necedah National Wildlife Refuge, Necedah, Wis.

AUGUST 8, 1968.

[F.R. Doc. 68-9868; Filed, Aug. 16, 1968; 8:45 a.m.]

PART 32—HUNTING

Necedah National Wildlife Refuge, Wis.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

WISCONSIN

NECEDAH NATIONAL WILDLIFE REFUGE

Public hunting of deer, coyote, fox, skunk and raccoon on the Necedah National Wildlife Refuge, Wis., is permitted with bow and arrow from September 21 through November 17, 1968, and December 7 through December 31, 1968, and with firearms from November 23 through December 1, 1968, but only on those areas designated by signs as open to hunting. These open areas, comprising approximately 39,500 acres are delineated on a map available at the refuge headquarters, Necedah, Wisconsin and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn. 55408. Hunting shall be in accordance with all applicable State and Federal regulations.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 31, 1968.

DAVID J. BROWN,
Refuge Manager, Necedah National Wildlife Refuge, Necedah, Wis.

AUGUST 8, 1968.

[F.R. Doc. 68-9869; Filed, Aug. 16, 1968; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airworthiness Docket No. 68-WE-20-AD; Amdt. 39-635]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing Model 727 Series Airplanes

There have been failures of the main landing gear actuator beam support link assembly on Boeing Model 727 Series airplanes that could result in wing damage and/or a "gear up" landing. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued to require an initial inspection and repetitive inspections until the existing main gear actuator beam support link assembly is replaced with a similar improved link assembly on Boeing Model 727 Series airplanes.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), section 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BOEING. Applies to Model 727 Series airplanes listed in paragraph I, *Planning Information*, * * * 1. *Airplanes Affected*, of Boeing Service Bulletin No. 32-90 dated February 16, 1968, as revised by Revision 1, May 29, 1968.

Compliance required as indicated.

To detect cracks in the bearing boss areas of the main gear actuator beam support link

assembly, 65-19657-4, or 65-19657-5, or 65-19657-8, accomplish the following:

(a) Within the next 150 hours time in service after the effective date of this AD, unless already accomplished within the last 850 hours time in service prior to the effective date of this AD; inspect the bearing boss areas of the main gear actuator beam support link assembly by the ultrasonic procedure outlined in paragraph II, *Accomplishment Instruction*, * * * *Part I Inspection Data*, B. *Ultrasonic Inspection Data* of Boeing Service Bulletin No. 32-90, Revision 1, or later FAA approved revision.

(b) If cracks are not found, accomplish either (1) or (2) below:

(1) Repeat the inspection required by paragraph (a) within 1,000 hours time in service following the initial inspection, and thereafter at intervals not to exceed 1,000 hours time in service from the last inspection.

(2) Replace the support link assembly with either a 65-19657-11 or 65-19657-13 assembly in accordance with paragraph II, *Accomplishment Instructions*, * * * *Part II—Replacement Data* of Boeing Service Bulletin No. 32-90, Revision 1, unless previously accomplished in accordance with unrevised Boeing Service Bulletin No. 32-90, dated February 16, 1968, or later FAA approved revision, or an equivalent approved by the Chief, Aircraft Engineering Division, FAA Western Region.

Note: Support link assembly 65-19657-5 when reworked in accordance with paragraph II, *Accomplishment Instructions*, * * * *Part III—Rework Data* becomes 65-19657-13 and is so reidentified.

(c) If cracks are found, replace the support link assembly before further flight (except that the airplane may be flown in accordance with FAR 21.197 with the gears down and locked, to a base where the replacement can be performed) with either of the following:

(1) A support link assembly 65-19657-4, or -5, or -8, which has been inspected in accordance with paragraph (a) and found free of cracks and which, after installation, is subsequently reinspected in accordance with paragraph (b) (1).

(2) A support link assembly 65-19657-11 or -13 or a part subsequently approved by the Chief, Aircraft Engineering Division, FAA Western Region. When this replacement is accomplished, the repetitive inspections required by this AD may be discontinued.

(d) After the effective date of this AD, any 65-19657-4, or -5, or -8 support link assembly to be used as a replacement part must be inspected within 7 days prior to installation in accordance with paragraph (a) and must have been found free of cracks. After installation the part must be reinspected in accordance with paragraph (b) (1).

(e) Upon request of the operator, an FAA maintenance inspector, subject to prior approval of the Regional Director, FAA Western Region, may adjust the repetitive inspection intervals specified in this AD to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for that operator.

The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a) (1). All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to the Boeing Co., Commercial Airplane Division, Post Office Box 707, Renton, Wash. 98055. These documents may also be examined at Room 406, Building A, FAA Western Region, 5651 West Manchester Avenue, Los Angeles, Calif. 90045, and FAA Headquarters, 800 Independence Avenue SW, Washington, D.C. An historical file on this AD which includes the incorporated material in full is maintained by the FAA at its Headquarters in Washington, D.C., and at FAA Western Region.

This amendment becomes effective August 19, 1968.

(Secs. 313(a), 601, and 603 of the Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, and 1423)

Issued in Los Angeles, Calif., on August 9, 1968.

The incorporation by reference provisions in this document were approved by the Director of the Federal Register on August 16, 1967.

LEE E. WARREN,
Acting Director,
FAA Western Region.

[F.R. Doc. 68-10030; Filed, Aug. 16, 1968; 11:31 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 947]

IRISH POTATOES GROWN IN CERTAIN COUNTIES IN CALIFORNIA AND OREGON

Proposed Re-establishment of Districts

Consideration is being given to the approval of a proposal to re-establish District Nos. 2 and 3, which was recommended by the Oregon-California Potato Committee, established pursuant to Marketing Agreement No. 114 and Order No. 947 (7 CFR Part 947, as amended).

This marketing order program regulates the handling of Irish potatoes grown in Modoc and Siskiyou Counties in California and all counties in Oregon except Malheur County, and is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

All persons who desire to submit written data, views, or arguments in connection with this proposal shall file the same with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, no later than the 15th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)). The proposal is as follows:

RE-ESTABLISHMENT OF DISTRICTS

§ 947.150 Re-establishment of districts.

Pursuant to § 947.32(b) and the recommendation of the Oregon-California Potato Committee, the Counties of Jackson and Josephine in the State of Oregon (currently a portion of District No. 3), are re-established as a part of District No. 2.

Terms used in this section shall have the same meaning as when used in said marketing agreement and this part.

Dated: August 14, 1968.

PAUL A. NICHOLSON,
Deputy Director, Fruit and
Vegetable Division, Consumer
and Marketing Service.

[F.R. Doc. 68-9903; Filed, Aug. 16, 1968;
8:48 a.m.]

[7 CFR Part 981]

HANDLING OF ALMONDS GROWN IN CALIFORNIA

Proposed Expenses of the Control Board and Rate of Assessment for 1968-69 Crop Year

Notice is hereby given of a proposal regarding expenses of the Almond Con-

trol Board for the 1968-69 crop year and rate of assessment for that crop year, pursuant to §§ 981.80 and 981.81 of the marketing agreement, as amended, and Order No. 981, as amended (7 CFR Part 981), regulating the handling of almonds grown in California. The amended marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The Control Board has unanimously recommended for the 1968-69 crop year beginning July 1, 1968, a budget of expenses in the total amount of \$70,000 and an assessment rate of 0.10 cent per pound of almonds (kernel weight basis). Expenses in that amount and the assessment rate are specified in the proposal hereinafter set forth. The quantity of assessable almonds for the 1968-69 crop year is estimated at 83 million pounds (kernel weight). In order to protect against unanticipated crop losses, an assessment rate of 0.10 cent per pound should be established to assure the availability of sufficient funds to meet the expenses of the Control Board for the 1968-69 crop year.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposal should file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 8th day after publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposal is as follows:

§ 981.318 Expenses of the Control Board and rate of assessment for the 1968-69 crop year.

(a) *Expenses.* Expenses in the amount of \$70,000 are reasonable and likely to be incurred by the Control Board during the crop year beginning July 1, 1968, for its maintenance and functioning and for such purposes as the Secretary may, pursuant to the provisions of this part, determine to be appropriate.

(b) *Rate of assessment.* The rate of assessment for said crop year, payable by each handler in accordance with § 981.81, is fixed at 0.10 cent per pound of almonds (kernel weight basis).

Dated: August 14, 1968.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Veg-
etable Division, Consumer and
Marketing Service.

[F.R. Doc. 68-9904; Filed, Aug. 16, 1968;
8:48 a.m.]

[7 CFR Part 987]

DOMESTIC DATES PRODUCED OR PACKED IN DESIGNATED AREA OF CALIFORNIA

Proposed Amendment of Administrative Rules and Regulations

Notice is hereby given of a proposal, unanimously recommended by the Date Administrative Committee, to amend Subpart—Administrative rules and regulations (§§ 987.100 to 987.174), to permit substandard dates to be disposed of by handlers for use, or used, in the production of table syrup. The authorization for the proposed disposition of such dates would be pursuant to § 987.56 of the marketing agreement, as amended, and Order No. 987, as amended (7 CFR 987), regulating the handling of domestic dates produced or packed in a designated area of California. The amended marketing agreement and order (herein referred to collectively as the "order") are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

Marketable dates are generally in plentiful supply. However, the restricted dates portion of marketable dates available for use in the production of table syrup is not adequate because such portion of these dates is being used for other approved products or export outlets. The supply of such marketable dates is now deemed about adequate to meet the demand for these more profitable outlets. A substantial quantity of substandard dates is available for use in the production of table syrup, but presently can only be disposed of in animal feed, nontable syrup, alcohol, brandy, or other non-human food outlets which yield relatively low returns to producers.

The proposal would permit substandard dates to be used in the production of table syrup, thereby enlarging the supply of dates available for such use, and provide an opportunity for higher returns to producers of these dates. Hence, it would tend to effectuate the declared policy of the act. However, to ensure that dates disposed of for use, or used, in the production of table syrup meet the applicable requirements of the "order" for substandard dates, the proposal requires the dates to be inspected and certified as being substandard dates.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposal should file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than 8 days after publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk

during regular business hours (7 CFR 1.27(b)).

The proposal to amend Subpart—Administrative rules and regulations (7 CFR 987.100 to 987.174) by adding § 987.156 *Disposition of substandard dates for a specified product* is as follows:

§ 987.156 Disposition of substandard dates for a specified product.

Dates of any variety inspected and certified as substandard dates, as defined in § 987.15, may be disposed of by handlers for use, or used, in the production of table syrup.

Dated: August 14, 1968.

PAUL A. NICHOLSON,
Deputy Director, Fruit and
Vegetable Division, Consumer
and Marketing Service.

[F.R. Doc. 68-9905; Filed, Aug. 16, 1968;
8:49 a.m.]

[7 CFR Part 987]

**DOMESTIC DATES PRODUCED OR
PACKED IN DESIGNATED AREA OF
CALIFORNIA**

**Notice of Proposed Expenses of Date
Administrative Committee and Rate
of Assessment for 1968-69 Crop
Year**

Notice is hereby given of a proposal regarding expenses of the Date Administrative Committee for the 1968-69 crop year and rate of assessment for that crop year, pursuant to §§ 987.71 and 987.72 of the marketing agreement, as amended, and Order No. 987, as amended (7 CFR Part 987). The amended marketing agreement and order regulate the handling of domestic dates produced or packed in a designated area of California, and are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The Date Administrative Committee has unanimously recommended for the 1968-69 crop year which began August 1, 1968, a budget of administrative expenses in the total amount of \$23,000 and an assessment rate of 8 cents per hundred pounds of assessable dates. Expenses in that amount and the assessment rate are specified in the proposal hereinafter set forth. The assessable poundage is estimated by the Committee at 33.139 million pounds.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposal should file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 8th day after publication in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposal is as follows:

§ 987.313 Expenses of the Date Administrative Committee and rate of assessment for the 1968-69 crop year.

(a) *Expenses.* Expenses in the amount of \$23,000 are reasonable and likely to be incurred by the Date Administrative Committee during the crop year which began August 1, 1968, for its maintenance and functioning and for such other purposes as the Secretary may, pursuant to the applicable provisions of this part, determine to be appropriate.

(b) *Rate of assessment.* The rate of assessment for that crop year which each handler is required, pursuant to § 987.72, to pay to the Date Administrative Committee as his pro rata share of the expenses is fixed at 8 cents per hundred-weight on all assessable dates. Assessable dates are dates which the handler has certified during the crop year as meeting the requirements for marketable dates, including the eligible portion of any field-run dates certified and set aside or disposed of pursuant to § 987.45(f).

Dated: August 14, 1968.

PAUL A. NICHOLSON,
Deputy Director, Fruit and
Vegetable Division, Consumer
and Marketing Service.

[F.R. Doc. 68-9906; Filed, Aug. 16, 1968;
8:49 a.m.]

[7 CFR Part 1202]

[Docket No. AO-365]

**HANDLING OF FLUE-CURED
TOBACCO**

**Notice of Additional Time for Filing
Written Exceptions to Recommended
Decision on Proposed
Marketing Agreement and Order**

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674), and the applicable rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given that a reasonable period of additional time is provided for filing written exceptions to the recommended decision dated July 16, 1968 (33 F.R. 10346), with respect to proposed marketing agreement and order regulating the handling of flue-cured tobacco. A request for such time was made on behalf of a group of growers of flue-cured tobacco so as to afford interested persons additional time for further consideration of the recommended decision.

Therefore, interested parties may file written exceptions to this recommended decision with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250. To be considered, exceptions must be filed not later than August 30, 1968. They should be filed in quadruplicate. All such communications will be made avail-

able for public inspection at the Office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: August 14, 1968.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 68-9907; Filed, Aug. 16, 1968;
8:49 a.m.]

**FEDERAL COMMUNICATIONS
COMMISSION**

[47 CFR Part 74]

[Docket No. 17999]

**COMMUNITY ANTENNA RELAY
SERVICE**

**Permission To Transmit Program Material
Originated by CATV Systems;
Order Extending Time for Filing
Comments**

In the matter of amendment of Part 74 of the Commission's rules to permit stations licensed in the community antenna relay service to transmit program material originated by CATV systems, Docket No. 17999.

1. On March 20, 1968, the Commission extended the time for filing comments and reply comments in this proceeding to August 16, 1968, and October 15, 1968, respectively (No. 14687).

2. American Broadcasting Co.'s, Inc. (ABC), has requested a 35-day extension of time to and including September 20, 1968, in which to file comments in this proceeding. ABC states that since the issuance of the Supreme Court's decisions in *Southwestern Cable and Fortnightly Corp.*, and the Commission's decision in *Midwest Television* (FCC 68-662), it has instituted studies and undertaken a reexamination of CATV problems, and that while these studies and reexamination have proceeded as quickly as circumstances have permitted, the filing of a document of maximum assistance to the Commission would not be possible by August 16. It is urged that by September 20, ABC (and, perhaps, other interested parties) will be in a better position to submit helpful and positive comments responsive to the fundamental public interest problems (in addition to technical aspects) which are inherent in the Docket 17999 inquiry. The National Association of Broadcasters has filed a statement in support of the ABC request for an extension of time. In these circumstances, it appears that a grant of the requested extension of time would serve the public interest.

Accordingly, it is ordered, Pursuant to § 0.289(c)(4) of the Commission's statement of delegations of authority, that the time within which to file comments in the above-captioned proceeding is extended to and including September 20, 1968, and the time within which to file

reply comments is extended to an including November 19, 1968.

Adopted: August 12, 1968.

Released: August 13, 1968.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] SOL SCHILDHAUSE,
Chief, CATV Task Force.

[F.R. Doc. 68-9900; Filed, Aug. 16, 1968;
8:48 a.m.]

FEDERAL HOME LOAN BANK BOARD

[12 CFR Part 501]

[No. 22,002]

OPERATIONS

Collection of Claims

AUGUST 8, 1968.

Resolved that the Federal Home Loan Bank Board considers it desirable to amend the general regulations of the Federal Home Loan Bank Board for the purpose of prescribing procedure and delegating authority for the collection and compromise of claims, and for the suspension or termination of collection action on claims, of the Board and the Federal Savings and Loan Insurance Corporation, and, for such purpose, it is hereby proposed that Part 501 of said regulations (12 CFR Part 501) be amended by adding at the beginning of said part a new § 501.1 to read as follows:

§ 501.1 Claims of the Board and the Federal Savings and Loan Insurance Corporation.

(a) *General.* The Board and the Federal Savings and Loan Insurance Corporation shall attempt collection of all claims for money or property arising out of their respective activities in conformity with the Federal Claims Collection Act of 1966, (31 U.S.C. 951), and the Joint Regulations of the Attorney General and the Comptroller General thereunder (4 CFR Chapter II). This section does not apply to the Federal Savings and Loan Insurance Corporation in its capacity as conservator, receiver, or other legal custodian of a financial institution.

(b) *Compromise and termination of collection action.* The Board may compromise, or suspend or terminate collection action on, any claims arising out of its activities, other than claims arising under section 5 of the Home Owners' Loan Act of 1933, as amended (12 U.S.C.

1464), not exceeding \$20,000, exclusive of interest, in conformity with the Federal Claims Collection Act of 1966 and the Joint Regulations of the Attorney General and the Comptroller General thereunder. Claims of the Board arising under section 5 of the Home Owners' Loan Act of 1933, as amended, and claims of the Federal Savings and Loan Insurance Corporation, may be compromised and collection action may be suspended or terminated without regard to the amount of the claim.

(c) *Referral to General Accounting Office or for litigation.* The Board and the Federal Savings and Loan Insurance Corporation may refer claims to the General Accounting Office, or to the Department of Justice for litigation, pursuant to the Federal Claims Collection Act of 1966 and the Joint Regulations of the Attorney General and the Comptroller General thereunder.

(d) *Delegation of authority; referral to Board.* (1) The Comptroller of the Board is delegated the authority to collect all claims of the Board, and claims of the Federal Savings and Loan Insurance Corporation for insurance premiums and for the cost of examinations and audits, and as to the uncollected balance of any such claim not in excess of \$5,000, exclusive of interest, said Comptroller is delegated the authority to compromise, suspend, or terminate collection action, or refer the claim to the General Accounting Office, except that:

(i) The advice of the General Counsel shall be obtained before any action, other than collection action, is taken by the Comptroller under this section, and

(ii) The concurrence of the Director or Deputy Director of the Office of Examinations and Supervision shall be obtained before any action, other than collection action, is taken by the Comptroller under this section concerning claims for the cost of examinations and audits.

(2) The Director, Office of the Federal Savings and Loan Insurance Corporation, is delegated the authority to collect all claims of the Federal Savings and Loan Insurance Corporation other than for insurance premiums and for the cost of examinations and audits. As to the uncollected balance of any claim arising out of, pursuant to or in connection with action taken by the Federal Savings and Loan Insurance Corporation under section 406(f) of the National Housing Act (12 U.S.C. 1729(f)), or any other claim (except claims for insurance premiums and claims for the cost of examinations

and audits) not in excess of \$5,000, exclusive of interest, said Director is delegated the authority to compromise, suspend or terminate collection action on, or refer the claim to the General Accounting Office, except that the advice of the General Counsel of the Board shall be obtained before any action, other than collection action, is taken by the Director, Office of the Federal Savings and Loan Insurance Corporation, under this section.

(3) The authority to refer claims of the Board and of the Federal Savings and Loan Insurance Corporation which do not exceed \$5,000, exclusive of interest to the Department of Justice for litigation is delegated to the General Counsel.

(4) Claims of the Board and the Federal Savings and Loan Insurance Corporation, other than claims arising out of, pursuant to or in connection with action taken by said Corporation under section 406(f) of the National Housing Act, as amended (12 U.S.C. 1729(f)), which exceed \$5,000, exclusive of interest, and which are determined by the Director, Office of the Federal Savings and Loan Insurance Corporation, the Comptroller, or the General Counsel to be uncollectable in full, shall be referred to the Board with a recommendation as to whether the claim should be compromised, collection action suspended or terminated, or other action taken thereon.

(Sec. 17, 47 Stat. 736, as amended; 12 U.S.C. 1437. Sec. 402, 48 Stat. 1256, as amended; 12 U.S.C. 1725. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-48 Comp., p. 1071)

Resolved further that interested persons are invited to submit written data, views, and arguments to the Office of the Secretary, Federal Home Loan Bank Board, 101 Indiana Avenue NW., Washington, D.C. 20552, by September 2, 1968, as to whether this proposal should be adopted, rejected, or modified. Written material submitted will be available for public inspection at the above address unless confidential treatment is requested or the material would not be made available to the public or otherwise disclosed under § 505.6 of the general regulations of the Federal Home Loan Bank Board (12 CFR 505.6).

By the Federal Home Loan Bank Board.

[SEAL]

JACK CARTER,
Secretary.

[F.R. Doc. 68-9900; Filed, Aug. 16, 1968;
8:49 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[A 2081]

ARIZONA

Notice of Classification of Public Lands For State Indemnity Lieu Selection

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18), and to the regulations in 43 CFR Parts 2410 and 2411, notice is hereby given of the classification of the public lands described below for transfer to the State of Arizona on Indemnity Lieu Selection. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for Federal use or purpose.

2. Publication of the notice of proposed classification had the effect of segregating the described lands from appropriation under the mining laws, and from all forms of appropriation under the public land laws, except State Indemnity Lieu Selection.

3. Information concerning these lands and the proposed disposition may be received by inquiry or inspection of data in the Phoenix District Office and Land Office, Bureau of Land Management, Federal Building, Phoenix, Ariz.

4. The notice of proposed classification was published in 33 F.R. 7887 of May 30, 1968. No protests have been received, and no changes have been made.

5. The lands included in this classification are located in Mohave County, and are described as follows:

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 16 N., R. 16 W.,

Sec. 4, lots 1 to 4, inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$ and S $\frac{1}{2}$;Sec. 6, lots 1 to 7, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$;

Secs. 8, 10 and 12;

Sec. 14, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$;Sec. 18, lots 1 to 4, inclusive, E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$;

Secs. 20, 22, 24, 26 and 28;

Sec. 30, lots 1 to 4, inclusive, E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$;

Sec. 34.

The lands described aggregate 8,860.93 acres.

6. For a period of 30 days from date of publication in the FEDERAL REGISTER, this classification shall be subject to the exercise of administrative review and modification

by the Secretary of the Interior as provided in 43 CFR section 2411.2c.

FRED J. WEILER,
State Director.

AUGUST 13, 1968.

[F.R. Doc. 68-9870; Filed, Aug. 16, 1968; 8:45 a.m.]

National Park Service

[Order No. 39]

CHIEF, OFFICE OF ARCHEOLOGY AND HISTORIC PRESERVATION

Revocation of Delegation of Authority

Revocation. The authority delegated to the Chief, Office of Archeology and Historic Preservation, National Park Service under Order No. 39 (32 F.R. 10762; July 21, 1967), is hereby revoked.

(Sec. 205(a), Act of Oct. 15, 1966 (80 Stat. 915, 919))

Dated: August 12, 1968.

GEORGE B. HARTZOG, JR.
Director, National Park Service.

[F.R. Doc. 68-9877; Filed, Aug. 16, 1968; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

MICHIGAN, MISSOURI, AND SOUTH DAKOTA

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the States of Michigan, Missouri, and South Dakota, natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

MICHIGAN

Allegan.
Berrien.
Lapeer.
Macomb.

Saginaw.
St. Clair.
Tuscola.
Van Buren.

MISSOURI

Butler.
Dunklin.
Mississippi.
New Madrid.

Pemiscot.
Ripley.
Scott.
Stoddard.

SOUTH DAKOTA

Charles Mix.

Pursuant to the authority set forth above, emergency loans will not be made

in the above-named counties after June 30, 1969, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 13th day of August 1968.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 68-9881; Filed, Aug. 16, 1968; 8:46 a.m.]

NEBRASKA

Designation of Area for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Nebraska, natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

NEBRASKA

Clay.

Nuckolls.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1969, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 13th day of August 1968.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 68-9882; Filed, Aug. 16, 1968; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Business and Defense Services Administration

CANCER RESEARCH INSTITUTE

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review

during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 68-00540-33-46040. Applicant: Cancer Research Institute, New England Deaconess Hospital, 185 Pilgrim Road, Boston, Mass. 02215. Article: Electron microscope, Model HU-11C. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used for virus cancer research which includes the ultrastructural studies of virus-induced sarcoma and pathogenesis of viral leukemia, also for teaching clinically trained pathologists the basic research techniques needed for cancer research. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The only known comparable domestic instrument is the Model EMU-4 electron microscope manufactured by the Radio Corporation of America (RCA). Effective September 1968, the RCA Model EMU-4 has been redesigned to increase performance capabilities with a quoted delivery time of 60 days. However, since the applicant placed the order for the foreign article prior to April 23, 1968, the determination of scientific equivalency has been made with reference to the characteristics and specifications of the RCA Model EMU-4 relevant at that time. (1) The foreign article provides a guaranteed resolution of 8 angstroms. (The lower the numerical rating in terms of angstroms, the better the resolving capabilities.) For the purposes for which the foreign article is intended to be used, the additional resolving capabilities of the foreign article are pertinent. (2) The foreign article provides accelerating voltages of 25, 50, 75, and 100 kilovolts, whereas the RCA Model EMU-4 provided only 50- and 100-kilovolt accelerating voltages. It has been experimentally established that the lower accelerating voltage provides optimum contrast for unstained specimens and that the voltages intermediate between 50 and 100 kilovolts provide optimum contrast for negatively stained specimens. For the purposes for which the foreign article is intended to be used, it is necessary to obtain optimum contrast, and, therefore, the additional accelerating voltages provided by the foreign article are pertinent.

For the foregoing reasons, we find that the RCA Model EMU-4 is not of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such

article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 68-9861; Filed, Aug. 16, 1968; 8:45 a.m.]

HARVARD UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 68-00603-33-46040. Applicant: Harvard University, 75 Mount Auburn Street, Cambridge, Mass. 02136. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronics N.V.D. The Netherlands. Intended use of article: The article will be used for training advanced students at the post-doctoral level, as well as for research programs focused on the morphology of cell systems at the macromolecular level. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The only known comparable domestic instrument is the Model EMU-4 electron microscope manufactured by the Radio Corporation of America (RCA). Effective September 1968, the RCA Model EMU-4 has been redesigned to increase certain performance capabilities, with a quoted delivery time of 60 days. However, since the applicant placed the order for the foreign article prior to May 21, 1968, the determination of scientific equivalency has been made with reference to the characteristics and specifications of the RCA Model EMU-4 relevant at that time. (1) The foreign article has a guaranteed resolution of 5 angstroms. The RCA Model EMU-4 had a guaranteed resolution of 8 angstroms. (The lower the numerical rating in terms of angstrom units, the better the resolving capabilities.) For the purposes for which the foreign article is intended to be used, the highest possible resolution is required. Therefore, the additional resolving capabilities of the foreign article are pertinent. (2) The foreign article provides

accelerating voltages of 20, 40, 60, 80, and 100 kilovolts, whereas the RCA Model EMU-4 provided accelerating voltages of 50 and 100 kilovolts only. It has been experimentally demonstrated that the lower accelerating voltage of the foreign article furnishes better contrast for unstained and ultrathin sections and the voltages intermediate between 50 and 100 kilovolts afford optimum contrast for negatively stained sections. For the purposes for which the foreign article is intended to be used, the lower and intermediate accelerating voltages are pertinent.

For the foregoing reasons, we find that the RCA Model EMU-4 is not of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 68-9862; Filed, Aug. 16, 1968; 8:45 a.m.]

MICHIGAN TECHNOLOGICAL UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C. 20230.

Docket No. 68-00539-33-46040. Applicant: Michigan Technological University, Department of Biological Sciences, Houghton, Mich. 49931. Article: Electron microscope, Model HS-8. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used for training and instruction of senior and graduate students in biological science and for faculty and graduate student research. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The only known comparable domestic

instrument is the Model EMU-4 electron microscope manufactured by the Radio Corporation of America (RCA). Effective September 1968, the RCA Model EMU-4 has been redesigned to increase certain performance capabilities, with a quoted delivery time of 60 days. However, since the applicant placed the order for the foreign article prior to April 23, 1968, the determination of scientific equivalency has been made with reference to the characteristics and specifications of the RCA Model EMU-4 relevant at that time. The foreign article provides accelerating voltages of 25 and 50 kilovolts. The only known comparable domestic electron microscope, the RCA Model EMU-4, provided accelerating voltages of 50 and 100 kilovolts. The foreign article is intended to be used in experiments on ultrathin biological specimens. It has been experimentally determined that the lower accelerating voltages of the foreign article afford optimum contrast for unstained ultrathin specimens. Therefore, the 25 kilovolt accelerating voltage of the foreign article is pertinent to the research purposes for which the foreign article is intended to be used.

For this reason, we find that the RCA Model EMU-4 is not of equivalent scientific value to the foreign article for the purposes for which article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 68-9863; Filed, Aug. 16, 1968; 8:45 a.m.]

NEW YORK MEDICAL COLLEGE

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 68-00588-33-46040. Applicant: New York Medical College, 106 Street and Fifth Avenue, New York, N.Y. 10029. Article: Electron microscope, Model HV-1. Manufacturer: Hitachi, Limited, Japan. Intended use of article: The article will be used to investigate the applications of high vacuum electron microscopy to the high resolution electron

microscopy of biological materials. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The only known comparable domestic instrument is the Model EMU-4 electron microscope manufactured by the Radio Corporation of America (RCA). Effective September 1968, the RCA Model EMU-4 has been redesigned to increase performance capabilities, with a quoted delivery time of 60 days. However, since the applicant placed the order for the foreign article prior to May 17, 1968, the determination of scientific equivalency has been made with reference to the characteristics and specifications of the RCA Model EMU-4 relevant at that time. The foreign article provides a specimen chamber vacuum of 5×10^{-6} Torr. The only known domestic electron microscope, the RCA Model EMU-4, provided a specimen chamber vacuum of 2×10^{-5} Torr. (The higher the negative power of ten, the better the vacuum.) For the purposes for which the foreign article is intended to be used, the additional vacuum capacity of the foreign article is pertinent.

For the foregoing reason, we find that the RCA Model EMU-4 is not of equivalent scientific value to the foreign article, for the purpose for which said article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 68-9864; Filed, Aug. 16, 1968; 8:45 a.m.]

PENNSYLVANIA STATE UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C. 20230.

Docket No. 68-00525-67-46040. Applicant: Pennsylvania State University, College of Earth and Mineral Sciences, University Park, Pa. 16802. Article: Electron microscope, Model EM 300. Manu-

facturer: Philips Electronic Instruments, Inc., The Netherlands. Intended use of article: The article will be used for graduate and undergraduate teaching programs which cover the theory and operation of a modern electron microscope, and as a major investigative tool in a number of graduate research programs. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The only known comparable domestic instrument is the Model EMU-4 electron microscope manufactured by the Radio Corporation of America (RCA). Effective September 1968, the RCA Model EMU-4 has been redesigned to increase certain performance capabilities, with a quoted delivery time of 60 days. However, since the applicant placed the order for the foreign article prior to April 15, 1968, the determination of scientific equivalency has been made with reference to the characteristics and specifications of the RCA Model EMU-4 relevant at that time. (1) The applicant's studies of crystal plane spacings in clay minerals where the absorption or desorption of water can be followed directly by concomitant changes in the separation of the crystal planes, the study of very small particles used for the dispersion, strengthening of metals and studies of nucleation and growth of second phases and the process of spindal decomposition require the guaranteed resolution of 5 angstroms of the foreign article. The only known comparable domestic electron microscope is the RCA Model EMU-4, which had a guaranteed resolution of 8 angstroms. (The lower the numerical rating in terms of angstrom units, the better the resolving capabilities.) For the purposes for which the foreign article is intended, the additional resolving power is pertinent. (2) The applicant's studies of mixed crystalline and amorphous materials such as glasses would require a wide range of accelerating voltages, 20, 40, 60, 80, and 100 KV to provide contrasts with low voltages confined to bulk specimens. The RCA Model EMU-4 provided only accelerating voltages of 50 and 100 KV. For the purposes for which the foreign article is intended, the additional accelerating voltages are pertinent. For the foregoing reasons, we find that the RCA Model EMU-4 is not of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 68-9865; Filed, Aug. 16, 1968; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 20106; Order 68-8-54]

BRANIFF AIRWAYS, INC.

Order of Investigation and Suspension Regarding Fare Increases

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 13th day of August 1968.

By tariff revisions¹ marked to become effective August 19, 1968, Braniff Airways, Inc. (Braniff), proposes to cancel its normal one-way first-class and coach propeller fares, and provide that its jet fares will apply to propeller service. The effect of the proposal is to increase all of Braniff's normal propeller fares, 93 first-class and 82 coach, to the same level as its corresponding jet fares. The proposed fare increases range from \$1 to \$4 or 4.88 percent to 13.33 percent for first-class fares, and from \$1 to \$5 or 4.76 percent to 20 percent for coach fares.

In support of the proposed increases, Braniff asserts that the proposed action is undertaken as an effort to simplify its fare structure and fare construction, and to put the fares applicable to its Lockheed Electra aircraft in proper relationship to the fares applicable to other aircraft operated by Braniff. Braniff believes that one of the major problems facing the airline industry today is the customer congestion at airport ticket counters, and that anything done to make this process more efficient, orderly, and responsive to passenger desires is a step in the right direction. In addition, Braniff alleges that its Electra aircraft are not producing adequate revenue under the present fares, and that from a cost and quality of service viewpoint, fares should be the same for the Electra and BAC 1-11 jet aircraft that Braniff operates in most of its short-haul markets.

No complaints have been filed against the proposal.

Upon consideration of all relevant matters, the Board has determined that the proposal of Braniff to cancel its normal one-way propeller first-class and coach fares and provide that present jet fares will apply to propeller service may be unjust or unreasonable, or unjustly discriminatory, or unduly preferential, or unduly prejudicial, or otherwise unlawful, and should be investigated.

Braniff's proposal is in the nature of a general fare increase based on a fare structure adjustment, but without compensating reductions of other fares or any demonstration of the overall need for a revenue increase at the present time. While the carrier's domestic earnings decreased in 1968, there is no clear showing that such reduced earnings are of a permanent nature. It is noted that the carrier's earnings in previous years were satisfactory for an extended period of time. The Board has long held that

¹ Revisions to Airline Tariff Publishers, Inc., Agent, Tariff CAB No. 101, filed with a posting date of July 5, 1968.

short-range economic swings are no basis for fare changes and we conclude, therefore, that the proposed fare increases should be suspended pending investigation.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a), 403, 404, and 1002 thereof,

It is ordered, That:

1. An investigation is instituted to determine whether:

(a) The provisions described in Appendix A hereto to the extent that they provide for the cancellation of propeller first-class fares and propeller day coach fares,

(b) The fares which would apply if such cancellation of fares is permitted to become effective, and

(c) The rules, regulations, and practices affecting the fares described above, are or will be unjust or unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful fares, and rules, regulations, or practices affecting such fares;

2. Pending hearing and decision by the Board, the fares and provisions described in Appendix A hereto² are suspended and their use deferred to and including November 16, 1968, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. This investigation be assigned for hearing before an examiner of the Board at a time and place hereafter to be designated; and

4. A copy of this order be filed with the aforesaid tariff and be served upon Braniff Airways, Inc.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 68-9910; Filed, Aug. 16, 1968; 8:49 a.m.]

[Docket No. 18650; Order 68-8-56]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Rate Matters

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 14th day of August 1968.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of the Joint Conferences of the International Air Transport Association (IATA), and adopted by mail vote. The agreement has been assigned the above-designated CAB Agreement number.

² Filed as part of the original document.

The agreement amends the procedures governing handling of cable notice filings to be considered at meetings of the Joint Conference Specific Commodity Rates Committee by removing from consideration by the Committee any such filings which have not been received more than 40 days before the meeting. The Committee currently reviews cable filings received 15 days prior to its meeting.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find the following resolutions, incorporated in Agreement CAB 20446, to be adverse to the public interest or in violation of the Act:

IATA RESOLUTIONS

JT23 (Mail 201) 590.

JT31 (Mail 148) 590.

JT123 (Mail 546) 590.

Accordingly, it is ordered, That: Agreement CAB 20446 be and hereby is approved.

Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and nineteen copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 68-9911; Filed, Aug. 16, 1968; 8:49 a.m.]

[Docket No. 19472]

NORTHWEST AIRLINES, INC., AND PAN AMERICAN WORLD AIRWAYS, INC.

Notice of Hearing Regarding Interchange Agreement

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a public hearing in the above-entitled proceeding is assigned to be held on October 15, 1968, at 10 a.m. (local time) in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned examiner.

For information concerning the issues involved and other details of this proceeding, interested persons are referred to the various documents which are in the docket of this case on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., August 14, 1968.

[SEAL] EDWARD T. STODOLA,
Hearing Examiner.

[F.R. Doc. 68-9912; Filed, Aug. 16, 1968; 8:49 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-2602, etc.]

MARATHON OIL CO. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates¹

AUGUST 9, 1968.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service heretofore authorized as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10), on or before August 30, 1968.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: *Provided, however*, That pursuant to § 2.56, Part 2, Statement of General Policy and Interpretations, Chapter I of Title 18 of the Code of Federal Regulations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after July 1, 1967, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing of protests or petitions to intervene the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

GORDON M. CRANT,
Secretary.

¹ This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G-2602 C 7-29-68	Marathon Oil Co., 539 South Main St., Findlay, Ohio 45840.	Natural Gas Pipeline Co. of America, North Pasture Field, San Patricio County, Tex.	16.0	14.65
G-3060 E 7-30-68	Hugh Robert Goodrich et al. (successor to R. H. Goodrich), 609 Bank of the Southwest Bldg., Houston, Tex. 77002.	Texas Eastern Transmission Corp., Helen Gohlke Field, Victoria and De Witt Counties, Tex.	14.6	14.65
G-3326 E 7-29-68	do	do	14.6	14.65
G-5318 C 5-17-68	Skelly Oil Co., ¹ Post Office Box 1650, Tulsa, Okla. 74102.	Northern Natural Gas Co., Elliott B-9 Unit, Lea County, N. Mex.	11.2606	14.65
G-13042 D 7-23-68	Mobile Oil Corp., Post Office Box 2444, Houston, Tex. 77001 (partial abandonment).	Transcontinental Gas Pipe Line Corp., Pointe Au Fer Field, Terrebonne Parish, La.	Depleted	
G-17906 E 7-18-68	Sohio Petroleum Co. (successor to Blanco Oil Co.), 970 First National Office Bldg., Oklahoma City, Okla. 73102.	El Paso Natural Gas Co., Ingham (Devonian) Field, Crockett County, Tex.	* 16.72275	14.65
G-19542 E 7-24-68	An-Son Corp., 3814 North Santa Fe, Oklahoma City, Okla. 73118.	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	17.0	14.65
CI61-304 D 7-25-68	A. T. Carr Drilling Co., c/o A. T. Carr, Operator, Box 7, Lost Creek, W. Va. 26305.	Consolidated Gas Supply Corp., Freemans Creek District, Lewis County, W. Va.	Depleted	
CI61-1265 C 7-25-68	Southern Union Production Co., Fidelity Union Tower, Dallas, Tex. 75201.	El Paso Natural Gas Co., acreage in San Juan County, N. Mex.	12.0529095	15.025
CI62-691 D 7-25-68	Samedan Oil Corp. (Operator) et al., Post Office Box 909, Ardmore, Okla. 73401 (partial abandonment).	El Paso Natural Gas Co., acreage in Crane County, Tex.	(*)	
CI63-76 C 7-15-68	Cities Service Oil Co., Cities Service Bldg., Bartlesville, Okla. 74003.	Colorado Interstate Gas Co., ⁴ Eubank-Morrow Field, Haskell County, Kans.	17.0	14.65
CI64-761 E 7-19-68	Sunray DX Oil Co. (successor to J. F. Stephenson (Operator) et al.), Post Office Box 2039, Tulsa, Okla. 741302.	Lone Star Gas Co., East Hewitt Field, Carter County, Okla.	15.01	14.65
CI64-1135 E 7-19-68	do	do	16.01	14.65
CI64-1496 E 7-18-68	Amarillo Natural Gas Co. (Operator) et al. (successor to William N. Price and L. E. Geoffroy (Operator) et al.), 305 Bank of the Southwest Bldg., Amarillo, Tex. 79109.	Kansas-Nebraska Natural Gas Co., Inc., acreage in Beaver County, Okla.	* 15.001	14.65
CI65-571 C 7-22-68	Atlantic Richfield Co., Post Office Box 2819, Dallas, Tex. 75221.	El Paso Natural Gas Co., Basin Dakota Field, San Juan County, N. Mex.	13.0	15.025
CI66-7 E 7-19-68	Sunray DX Oil Co. (successor to J. F. Stephenson (Operator) et al.).	Lone Star Gas Co., East Hewitt Area, Carter County, Okla.	15.01	14.65
CI66-118 D 6-26-68	A. M. Van Flick, agent for Pacific States Gas & Oil Co., c/o John S. Holy, attorney, Post Office Box 643, Weston, W. Va. 26452.	Equitable Gas Co., Glenville District, Gilmer County, W. Va.	(*)	
CI66-550 D 6-26-68	Pacific States Gas & Oil, Inc., c/o John S. Holy, attorney, Post Office Box 643, Weston, W. Va. 26452.	Equitable Gas Co., De Kaib District, Gilmer County and Union District, Ritchie County, W. Va.	(*)	
CI67-550 A 10-20-66	Lester Davidson & Co., 411 Charles Street, Glenville, W. Va. 26351.	Carnegie Natural Gas Co., acreage in Gilmer County, W. Va.	20.0	15.325
CI67-1687 C 7-22-68	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex. 77001.	Panhandle Eastern Pipe Line Co., Selling Field, Dewey County, Okla.	* 17.0	14.65
CI67-1803 C 7-26-68	Petroleum, Inc., 300 West Douglas, Wichita, Kans. 67202.	Northern Natural Gas Co., Mokane-Laverne Pool, Beaver County, Okla.	* 17.0	14.65
CI68-962 7-24-68 *	Standard Oil Co. of Texas, a division of Chevron Oil Co. (Operator) et al., Post Office Box 1249, Houston, Tex. 77001.	Lone Star Gas Co., Rush Springs Area, Grady County, Okla.	15.0	14.65
CI68-1041 C 7-29-68	Federal Oil & Gas Co., et al., 1715 Grant Bldg., Pittsburgh, Pa. 15219.	Consolidated Gas Supply Corp., Courthouse District, Taylor County, W. Va.	25.0	15.325
CI68-1102 A 3-13-68	Caroline Hunt Sands and Loyd B. Sands, ¹ 1401 Elm St., Dallas, Tex. 75202.	Natural Gas Pipeline Co. of America, acreage in Winkler County, Tex.	* 17.5	14.65
CI68-1103 A 3-13-68	A. G. Hill, ¹ 1401 Elm St., Dallas, Tex. 75202.	do	* 17.5	14.65
CI68-1104 A 3-13-68	Caroline Hunt Trust Estate, ¹ 1401 Elm St., Dallas, Tex. 75202.	do	* 17.5	14.65
CI68-1199 A 4-3-68	Roden Oil Co. (Operator) et al., ¹ Post Office Box 5614, Midland, Tex. 79701.	Natural Gas Pipeline Co. of America, Lochridge Area, Ward County, Tex.	* 17.0	14.65
CI68-1220 A 4-22-68	Pennzoil United, Inc., ¹ Post Office 1828, 1007 Midland Savings Bldg., Midland, Tex. 79701, attn: F. C. Edwards, vice president.	do	* 18.0	14.65

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pres-sure base
CI08-1231 A 4-22-68	Stetco '65, Ltd., Post Office Box 1828, 1007 Midland, Savings Bldg., Midland, Tex. 79701.	Natural Gas Pipeline Co. of America, Lochridge Area, Ward County, Tex.	18.0	14.65
CI08-1232 A 4-23-68	Stetco '67, Ltd., Post Office Box 1828, 1007 Midland, Savings Bldg., Midland, Tex. 79701.	do	18.0	14.65
CI08-1265 A 4-30-68	Southern Royalty Co., 1600 First National Bank Bldg., Fort Worth, Tex. 76101.	Natural Gas Pipeline Co. of America, acreage in Winkler County, Tex.	17.85	14.65
CI08-1350 C 7-5-68	Floyd E. Sagely, 508 First Federal Bldg., Fort Smith, Ark. 72901.	Arkansas Louisiana Gas Co., Mansfield Field, Logan County, Ark.	14.0	14.65
CI08-1359 A 6-9-68	Forest Oil Corp. (Operator) et al., 1300 National Bank of Commerce Bldg., San Antonio, Tex. 78205.	Natural Gas Pipeline Co. of America, Lochridge Field, Ward and Reeves Counties, Tex.	16.5	14.65
CI08-1380 A 6-10-68	Marathon Oil Co.	Natural Gas Pipeline Co. of America, Lochridge-South Pyote Area, Ward County, Tex.	17.5	14.65
CI09-80 A 7-19-68	The Superior Oil Co., Post Office Box 1521, Houston, Tex. 77001.	Natural Gas Pipeline Co. of America, Crittendon Field, Winkler County, Tex.	17.5	14.65
CI09-83 F 7-19-68	A. C. Black et al. (successor to Humble Oil & Refining Co.), 2128 Republic Bank Tower, Dallas, Tex. 75201.	Arkansas Louisiana Gas Co., Pine Hollow Field, Pittsburg County, Okla.	15.0	14.65
CI09-84 A 7-22-68	Chambers Gas Co. et al., c/o R. L. O'Leary & Co., 1000 Main Office Bldg., Charleston, W. Va. 25321.	Consolidated Gas Supply Corp., Sandy River District, McDowell County, W. Va.	25.0	15.325
CI09-85 A 7-22-68	Morris Oil & Gas Co., Inc., Post Office Box 267, Grantsville, W. Va. 26147.	Consolidated Gas Supply Corp., Murphy District, Ritchie County, W. Va.	25.0	15.325
CI09-86 B 7-22-68	W. H. Haas, 201 Washington St., Marietta, Ohio 45750.	Consolidated Gas Supply Corp., Union District, Ritchie County, W. Va.	Uneconomical	
CI09-87 B 7-22-68	do	do	Uneconomical	
CI09-88 A 7-22-68	Neal A. Mager et al., c/o Jerry F. Lyons, Attorney, Post Office Box 550, Amarillo, Tex. 79105.	Phillips Petroleum Co., Panhandle Field, Hutchinson County, Tex.	9.0	14.65
CI09-89 A 7-22-68	do	Phillips Petroleum Co., Red Cave, Panhandle Field, Hutchinson County, Tex.	13.0	14.65
CI09-90 B 7-22-68	Gulf Oil Corp., Post Office Box 1589, Tulsa, Okla. 74102.	Arkansas Louisiana Gas Co., Jeems Bayou Field, Caddo Parish, La.	Uneconomical	
CI09-91 A 7-24-68	Belco Petroleum Corp., 630 Third Ave., New York, N. Y. 10017.	Texas Gas Transmission Corp., North Maurice Field, Lafayette Parish, La.	21.25	15.025
CI09-92 B 7-23-68	do	United Gas Pipe Line Co., Refugio Field, Refugio County, Tex.	Depleted	
CI09-93 A 7-24-68	Getty Oil Co., Post Office Box 1404, Houston, Tex. 77001.	Panhandle Eastern Pipe Line Co., West Teagarden Field, Woods County, Okla.	17.0	14.65
CI09-94 F 7-25-68	Sohio Petroleum Co. (successor to Bianco Oil Co.).	Transcontinental Gas Pipe Line Corp., Greta Field, Refugio County, Tex.	11.0	14.65
CI09-95 F 7-18-68	do	United Gas Pipe Line Co., Burnell Field, Bee and Karnes Counties, Tex.	15.455	14.65
CI09-96 F 7-18-68	do	The Altex Corp., Ben Bolt Pool, Jim Wells County, Tex.	13.8452	14.65
CI09-97 F 7-18-68	do	Tennessee Gas Pipeline Co., a division of Tennessee Inc., Hoyer Field, Calhoun County, Tex.	18.0	14.65
CI09-98 B 7-25-68	Thomas N. Berry & Co., Post Office Box 111, Stillwater, Okla. 74068.	Kansas-Nebraska Natural Gas Co., Inc., Southeast Liberal Area, Texas County, Okla.	Depleted	

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pres-sure base
CI09-100 A 7-25-68	Patrick Petroleum Co., 744 West Michigan Ave., Jackson, Mich. 49203.	United Fuel Gas Co., acreage in Kanawha County, W. Va.	28.0	15.325
CI09-101 A 7-25-68	Look 3 Oil, Coal & Dock Co. et al., 415 Porter Bldg., Pittsburgh, Pa. 15209.	Cumberland and Allegheny Gas Co., Union District, Barbour County, W. Va.	25.0	15.325
CI09-102 A 7-26-68	Gulf Oil Corp.	Kansas-Nebraska Natural Gas Co., Inc., Buffalo Wallow Field, Hemphill County, Tex.	17.0	14.65
CI09-103 F 7-24-68	James A. Wood, trustee et al. (successor to Mobil Oil Corp.), Box 609, Mission, Tex. 78102.	Tennessee Gas Pipeline Co., a division of Tennessee Inc., Hargill Field, Hidalgo County, Tex.	15.0	14.65
CI09-104 CI09-1024 F 7-26-68	R. E. Hoot et al. (successor to Mobil Oil Corp.), 1142 Houston Club Bldg., Houston, Tex. 77002.	Natural Gas Pipeline Co. of America, Dieth Estate Unit, Custer County, Okla.	17.4658	14.65
CI09-105 A 7-26-68	Pan American Petroleum Corp., Post Office Box 591, Tulsa, Okla. 74102.	Texas Gas Transmission Corp., Minden Field, Webster Parish, La.	18.75	15.025
CI09-106 B 7-29-68	E. M. Reynolds Gas Co., Box 322, Ripley, W. Va. 25271.	Consolidated Gas Supply Corp., Sherman District, Calhoun County, W. Va.	Uneconomical	
CI09-107 G-11950 F 7-26-68	James A. Wood, trustee et al. (successor to Mobil Oil Corp.).	Tennessee Gas Pipeline Co., a division of Tennessee Inc., San Salvador Field, Hidalgo County, Tex.	15.6	14.65
CI09-108 B 7-29-68	The Hefner Production Co. et al., Post Office Box 18771, Oklahoma City, Okla. 73118.	Kansas-Nebraska Natural Gas Co., Inc., Cumrick Area, Beaver County, Okla.	Depleted	
CI09-109 B 7-29-68	A. T. Carr Drilling Co.	Consolidated Gas Supply Corp., Troy District, Gilmer County, W. Va.	Uneconomical	
CI09-110 A 7-26-68	Sinclair Oil & Gas Co., Post Office Box 521, Tulsa, Okla. 74102.	Montana-Dakota Utilities Co., Gillette Gas Plant, Campbell County, Wyo.	15.384	15.025
CI09-111 A 7-30-68	Professional Petroleum Exploration, Inc., Suite 450, Denver Club Bldg., Denver, Colo. 80202.	United Fuel Gas Co., acreage in Kanawha County, W. Va.	28.0	15.325
CI09-112 B 7-30-68	R. H. Goodrich, c/o Bernard A. Foster, III, 725 15th St. NW., Washington, D. C. 20005.	Texas Eastern Transmission Corp., Helen Gohlke Field, Victoria and De Witt Counties, Tex.	Depleted	

¹ By letter filed June 17, 1968, Applicant expressed willingness to accept permanent authorization conditioned as Opinion No. 468, as modified by Opinion No. 468-A.

² Includes tax reimbursement.

³ Buyer is unable to take additional gas.

⁴ Now Colorado Interstate Pipeline Co., a division of Colorado Interstate Gas Co.

⁵ Includes .001 cent per Mcf tax reimbursement.

⁶ Deleters surrendered acreage, since acquired by Rabbit Gas & Oil Co.

⁷ Subject to upward and downward B.t.u. adjustment.

⁸ Amendment to certificate filed to add the interest of Jake L. Hamon and to redesignate rate schedule to read "Operator et al."

⁹ Applicant advised willingness to accept permanent certificate containing conditions similar to those imposed by Opinion No. 468, as modified by Opinion No. 468-A.

¹⁰ Includes 0.5 cent upward B.t.u. adjustment. Subject to upward and downward B.t.u. adjustment.

¹¹ 12 cents per Mcf for gas compressed by buyer, if producer operates and maintains the compressors for remainder of term; 13 cents per Mcf if producer elects to install and operate the compressor. Rate is also subject to a dehydration charge of 0.2131 cent per Mcf paid to Transco, if applicable.

¹² Rate in effect subject to refund in Docket No. R166-116.

¹³ Rate in effect subject to refund in Docket No. R164-350.

¹⁴ Applicant states its willingness to accept certificate conditioned to 17 cents per Mcf, subject to adjustment for B.t.u. content.

¹⁵ 15 cents per Mcf—gas well gas; 16 cents per Mcf—casinghead gas.

¹⁶ Rate in effect subject to refund in Docket No. R167-270.

¹⁷ Includes 1.75 cents per Mcf tax reimbursement.

¹⁸ Rate in effect subject to refund in Docket No. R167-272.

¹⁹ Filing made by Hugh Robert Goodrich et al., successors to R. H. Goodrich.

[F.R. Doc. 68-9838; Filed, Aug. 16, 1968; 8:45 a.m.]

[Docket No. CP66-282]

ELCOR CHEMICAL CORP.**Notice of Petition To Amend**

AUGUST 12, 1968.

Take notice that on August 5, 1968, Elcor Chemical Corp. (Petitioner), 201 Wall Building, Midland, Tex., filed in Docket No. CP66-282 a petition to amend the order of the Commission issued in said docket July 26, 1966, which order authorized National Sulphur Co. to construct and operate facilities and to transport and sell natural gas in interstate commerce, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By the instant filing, Petitioner seeks amendment of said certificate of public convenience and necessity by substituting Elcor Chemical Corp. for National Sulphur Co. as the holder of such certificate.

The petition states that Elcor Chemical Corp. is the successor to National Sulphur Co. by corporate merger. Petitioner states that it will continue to operate the facilities and to perform the services pursuant to the terms and conditions stated in said order of July 26, 1966.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and

procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before September 6, 1968.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-9871; Filed, Aug. 16, 1968;
8:46 a.m.]

[Docket No. CP67-168]

SOUTHERN NATURAL GAS CO.**Notice of Petition To Amend**

AUGUST 12, 1968.

Take notice that on August 1, 1968, Southern Natural Gas Co. (Petitioner), Post Office Box 2563, Birmingham, Ala. 35202, filed in Docket No. CP67-168 a petition to amend the order of the Commission issued in said docket on August 31, 1967, which order authorized Petitioner to sell and deliver to its customers natural gas, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By the instant filing, Petitioner seeks amendment of said order by requesting authorization to sell and deliver, during the period November 1, 1968, to October 31, 1969, increased contract demands and maximum delivery obligations to certain of its customers as set forth below:

Customer—resale customers

	Contract demand or maximum delivery obligation authorized by Aug. 31, 1967 order	Requested increase contract demand or maximum delivery obligation to be effective Nov. 1, 1968
Rate Schedule OCD-2:		
Water Works and Gas Board of the City of Greensboro.....	1,400	1,470
Marshall County Gas District.....	7,400	8,200
Pickens County Natural Gas District.....	1,326	1,425
The Gas Board of the City of Pleasant Grove.....	5,750	6,000
Southeast Alabama Gas District.....	30,000	34,250
Rate Schedule G-2:		
Water Works and Gas Board of the City of Marion.....	1,900	2,000
The Water Works, Gas and Sewer Board of the City of Oneonta.....	2,425	3,315
The Utilities Board of the City of Union Springs.....	1,375	1,450
Rate Schedule OCD-3:		
Atlanta Gas Light Co.....	595,013	601,008
South Carolina Electric & Gas Co.....	118,000	130,000
Chattanooga Gas Co.....	39,000	41,500
City of Cartersville.....	7,150	8,250
City of LaFayette.....	2,240	2,315
City of Wrens.....	750	1,400
Direct sale customers:		
Union Camp Corp.....	720	850
Savannah Sugar Refining Corp.....	720	1,700

Petitioner states that it presently has capacity to provide the increased contract demands as listed above during the period November 1, 1968, to October 31, 1969. However, it does not at present have capacity to provide such increased contract demands subsequent to October 31, 1969, due to previous authorization by the Commission to supply other customers with increases in contract demand, effective November 1, 1969, which increase will utilize substantially all of Petitioner's existing capacity. Petitioner states that Commission authority in the

instant filing will enable Petitioner to provide the increased requirements to its entire system.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before September 6, 1968.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-9872; Filed, Aug. 16, 1968;
8:46 a.m.]

[Docket No. CP67-132]

TRANSWESTERN PIPELINE CO.**Notice of Petition To Amend**

AUGUST 12, 1968.

Take notice that on August 2, 1968, Transwestern Pipeline Co. (Petitioner), Post Office Box 1502, Houston, Tex. 77001, filed in Docket No. CP67-132 a petition to amend the order of the Commission issued in said docket on January 13, 1967, which order authorized the operation by Petitioner of an existing tap valve on its transmission line in Curry County, N. Mex., and the sale of surplus natural gas on an interruptible basis to Southern Union Gas Co. (Southern) for resale, which authorization will expire on September 30, 1968, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By the instant filing, Petitioner seeks amendment of said order by requesting an extension of the authorization, through September 30, 1970.

The petition states that no additional facilities are required to perform the service, and that the volumes of gas involved would have virtually no effect on the reserve life index of Petitioner's gas supply.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before September 6, 1968.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-9873; Filed, Aug. 16, 1968;
8:46 a.m.]

[Docket No. CS69-4]

WESTERN STATES PRODUCING CO.**Notice of Application for "Small Producer" Certificate**

AUGUST 12, 1968.

Take notice that on July 29, 1968, Western States Producing Co., Suite 2018, National Bank of Commerce Building, San Antonio, Tex. 78205, filed an application pursuant to section 7(c) of the Natural Gas Act and § 157.40 of the regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce from the Permian Basin area of Texas and New Mexico, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before August 30, 1968.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission providing no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificate is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-9874; Filed, Aug. 16, 1968;
8:46 a.m.]

[Docket No. G-3892, etc.]

PANHANDLE PRODUCING CO. ET AL.

Findings and Order After Statutory Hearing; Correction

AUGUST 1, 1968.

Panhandle Producing Co. et al. (successor to Ashland Oil & Refining Co.), and other applicants listed herein, Docket No. G-3892 et al.; Mesa Petroleum Co. et al., Docket No. G-19386. In findings and order after statutory hearing issuing certificates of public convenience and necessity, amending certificates, permitting and approving abandonment of service, terminating certificates, terminating rate proceeding, making successors co-respondents, substituting respondent, redesignating proceedings, requiring filing of agreements and undertakings, and accepting related rate schedules and supplements for filing, issued December 7, 1967 and published in the FEDERAL REGISTER December 16, 1967 (F.R. Doc. 67-14548), 32 F.R. 18067, Docket No. G-3892 et al., paragraph (5): Change Docket No. "G-19387" to read "G-19386". Page 18069, paragraph (L): Change Docket No. "G-19387" to read "G-19386", and first column: change Docket No. "G-19387" to read "G-19386".

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-9875; Filed, Aug. 16, 1968;
8:46 a.m.]

GENERAL SERVICES ADMINISTRATION

Property Management and Disposal Service

[Wildlife Order 83]

PORTION, LARSON AFB

Transfer of Property

Pursuant to section 2 of Public Law 537, 80th Congress, approved May 19, 1948 (U.S.C. 667c), notice is hereby given that:

1. By deed from the United States of America dated March 8, 1968, the property known as a portion of the Larson Air Force Base, Moses Lake, Wash., consisting of 154.83 acres of unimproved land, and more particularly described in the deed, has been transferred from the United States to the State of Washington.

2. The above described property was transferred for wildlife purposes in accordance with the provisions of Section 1 of said Public Law 537 (16 U.S.C. 667b).

Dated: August 13, 1968.

CURTIS A. ROOS,
Acting Assistant Commissioner
for Real Property Disposal.

[F.R. Doc. 68-9867; Filed, Aug. 16, 1968;
8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 7-2943, 7-2944]

CONSUMERS POWER CO., AND A. J. INDUSTRIES, INC.

Notice of Applications for Unlisted Trading Privileges and of Opportunity for Hearing

AUGUST 13, 1968.

In the matter of applications of the Philadelphia Baltimore Washington Stock Exchange for unlisted trading privileges in certain securities.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to Section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stocks of the following companies, which securities are listed and registered on one or more other national securities exchanges:

Consumers Power Co. (Michigan), File No. 7-2943; A. J. Industries, Inc. (Delaware), File No. 7-2944.

Upon receipt of a request, on or before August 28, 1968, from any interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request

should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 68-9878; Filed, Aug. 16, 1968;
8:46 a.m.]

GOLDEN AGE MINES, LTD.

Order Suspending Trading

AUGUST 13, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Golden Age Mines, Ltd., 250 University Avenue, Toronto, Canada, being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period August 14, 1968, through August 23, 1968, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 68-9879; Filed, Aug. 16, 1968;
8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area 681]

MINNESOTA

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of August 1968, because of the effects of certain disasters, damage resulted to residences and business property located in the county of Blue Earth, in the State of Minnesota;

Whereas, the Small Business Administration has investigated and has received

other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b) (1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property, situated in the aforesaid county, and areas adjacent thereto, suffered damage or destruction resulting from floods occurring on August 6, 1968, and continuing thereafter.

OFFICE

Small Business Administration Regional Office, 816 Second Avenue South, Minneapolis, Minn. 55402.

2. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to February 28, 1969.

Dated: August 12, 1968.

HOWARD J. SAMUELS,
Administrator.

[F.R. Doc. 68-9880; Filed, Aug. 16, 1968; 8:46 a.m.]

FEDERAL MARITIME COMMISSION

BRAZIL/UNITED STATES GULF SAILING AND CARGO ALLOWANCE AGREEMENT

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763; 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Donald Macleay, Esq., Macleay, Lynch, Bernhard & Gregg, Commonwealth Building, 1625 K Street NW., Washington, D.C. 20006.

Agreement No. 9739, between Companhia de Navegacao Lloyd Brasileiro,

S.A. and Navegacao Mercantil, S.A. operating as a single line, and Delta Steamship Lines, Inc., provides for the establishment of a sailing and cargo allowance agreement by the parties in the trade between Brazilian ports in the Paranaguá/Victoria range inclusive, and U.S. Gulf ports in the Brownsville/Key West range, inclusive.

The carriers are to provide between six and 12 sailings in each direction during any calendar quarter-year period and are permitted to transport a specified number of payable cargo tons during any calendar quarter-year period with a 10-percent over or under carriage allowance. Adjustments are made as mutually agreed if a line, in a calendar quarter, (1) fails to transport its cargo allowance, (2) exceeds such allowance, or (3) fails to fulfill its minimum sailings. While certain types of cargo are excluded from the arrangement, any and all government-controlled traffic to the extent permitted by the laws of Brazil and the United States will be included. Each carrier shall man, navigate and operate its vessels at its own risk and expense. Upon approval, the agreement is to remain in effect until the end of the third full calendar year thereafter and may be extended, subject to approval, for an additional period of 10 years.

Dated: August 14, 1968.

By order of the Federal Maritime Commission.

THOMAS LIST,
Secretary.

[F.R. Doc. 68-9866; Filed, Aug. 16, 1968; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 669]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

AUGUST 13, 1968.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 340), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in

the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 35628 (Sub-No. 292 TA), filed August 7, 1968. Applicant: INTERSTATE MOTOR FREIGHT SYSTEM, 134 Grandville Avenue SW., Grand Rapids, Mich. 49502. Applicant's representative: Leonard D. Verdier, Jr., 1 Vandenberg Center, Grand Rapids, Mich. 49502. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: Dore (impure bullion), from Denver, Colo., over presently authorized routes, to Baltimore, Md., and Perth Amboy, N.J., from St. Paul, Minn., over presently authorized routes to Baltimore, Md., and Perth Amboy, N.J., for 180 days. NOTE: Applicant is presently authorized to transport general commodities, with exceptions, including articles of unusual value, from Denver, Colo., and St. Paul, Minn., to Perth Amboy, N.J., and Baltimore, Md. The purpose of this application is to obtain whatever additional authority is required if the commodity applied for herein is determined to be within the exception noted above. Supporting shipper: American Smelting & Refining Co., 120 Broadway, New York, N.Y. 10005. Send protests to: C. R. Flemming, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 221 Federal Building, Lansing, Mich. 48933. NOTE: Applicant intends to interline with Garrett Freightlines, Inc., at Denver, Colo., and St. Paul, Minn.

No. MC 109136 (Sub-No. 38 TA), filed August 9, 1968. Applicant: ORIOLE CHEMICAL CARRIERS, INC., 9722 Pulaski Highway, Baltimore, Md. 21220. Applicant's representative: Maxwell A. Howell, 1120 Investment Building, Washington, D.C. 20005. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Caustic soda, other than liquid, in bulk, for the account of Diamond Shamrock Corp., from the plantsite of Diamond Shamrock Corp. at Delaware City, Del., to the District of Columbia and points in New Jersey, Maryland, New York, Connecticut, Rhode Island, Massachusetts, Pennsylvania, and Virginia, for 180 days. Supporting shipper: Thomas H. Jones, general manager, transportation and distribution, Diamond Shamrock Corp., 300 Union Commerce Building, Cleveland, Ohio 44115. Send protests to: William L. Hughes, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1125 Federal Building, Baltimore, Md. 21201.

No. MC 111401 (Sub-No. 261 TA), filed August 8, 1968. Applicant: GROEN-DYKE TRANSPORT, INC., 2510 Rock Island Boulevard, Post Office Box 632, Enid, Okla. 73701. Applicant's representative: Victor R. Comstock (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Acid and phosphatic fertilizer solutions, in bulk, from the plantsite of Freeport Chemical Co., division of Freeport Sulphur Co. at or near Uncle Sam, St.

James Parish, La., to points in Alabama, Arkansas, Florida, Georgia, Illinois (on and south of U.S. Highway 50, including East St. Louis), Kentucky, Louisiana, Mississippi, Missouri on and south of the Missouri River, Oklahoma, Tennessee, and Texas, for 180 days. Supporting shipper: Freeport Sulphur Co., 161 East 42d Street, New York, N.Y. 10017. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla. 73102.

No. MC 126367 (Sub-No. 6 TA), filed August 8, 1968. Applicant: EVERGREEN TRUCKING COMPANY, Box 39, Jewell, Ore. 97126. Applicant's representative: Earl White, 2400 Southwest Fourth Avenue, Portland, Ore. 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Peeler cores* from Libby, Mont., and Roslyn, Wash., to Priest River, Idaho; and (B) *peeler cores and short logs* from points in western Washington (west of the summit of the Cascade Range) to St. Helens, Ore., for 180 days. Supporting shippers: Friesen Lumber Co., 315 Oregon National Building, 610 Southwest Alder Street, Portland, Ore. 97205; Merritt Bros. Lumber Co., Priest River, Idaho 83856. Send protests to: R. V. Dubay, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 450 Multnomah Building, Portland, Ore. 97204.

No. MC 127062 (Sub-No. 2 TA), filed August 9, 1968. Applicant: KARL MARKUS, doing business as MARKUS TRUCKING, 2001 20th Avenue South, Lethbridge, Alberta, Canada. Applicant's representative: Jos. F. Meglen, 2822 Third Avenue North, Billings, Mont. 59101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Grain and machinery storage steel buildings and associated fabricated parts*, from Columbus, Nebr., to port of entry on the international boundary line between the United States and Canada at or near Sweetgrass, Mont., for 180 days. Supporting shipper: United Machine Distributors, Ltd., Post Office Box 1202, Lethbridge, Alberta, Canada. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 251 U.S. Post Office Building, Billings, Mont. 59101.

No. MC 133071 TA, filed August 8, 1968. Applicant: SKYLAND, INC., 116 LaGrave SE., Grand Rapids, Mich. 49503. Applicant's representative: Camille Sam Abood, 117 East Allegan Street, Lansing, Mich. 48933. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between Grand Rapids, Mich., on the one hand, and, on the other, Detroit Metropolitan Airport and Willow Run Airport, Wayne County, Mich., on a

route from Grand Rapids along I-96 to U.S. 23, thence to U.S. I-94 to Metropolitan Airport and Willow Run Airport, Wayne County, Mich., and return over the same route. Subject to the restriction that all traffic transported shall have an immediately prior or immediately subsequent interstate movement by air. NOTE: Applicant will interline at Metropolitan and Willow Run Airport with all air carriers; for 180 days. Supporting shippers: There are approximately eight statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: C. R. Flemming, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 221 Federal Building, Lansing, Mich. 48933.

No. MC 133073 TA, filed August 9, 1968. Applicant: HALE TRUCKING CO., INC., 160 Lafayette Street, Jersey City, N.J. 07304. Applicant's representative: Robert B. Pepper, 297 Academy Street, Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Beddings, beds, frames and sleeping equipment, uncrated*, from the plant site of Simmons Co., Elizabeth, N.J., to residences and homes in Connecticut and New York within 50 miles of Elizabeth, N.J., under a continuing contract with Simmons Co., for 180 days. Supporting shipper: Simmons Co., Brunswick Avenue and Allen Street, Elizabeth, N.J. 07207. Send protests to: District Supervisor Walter J. Grossmann, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, N.J. 07102.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-9888; Filed, Aug. 16, 1968;
8:47 a.m.]

[Notice 668]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

AUGUST 12, 1968.

The following are notices of filing of applications for temporary authority under section 210(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 340), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 2900 (Sub-No. 159 TA), filed August 7, 1968. Applicant: RYDER TRUCK LINES, INC., 2050 Kings Road, Post Office Box 2408, Jacksonville, Fla. 32203. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving Ford Motor Co. plantsite at the intersection of Westport Road and Murphy Lane, Jefferson County, near Louisville, Ky., as an off-route point in connection with Ryder's regular route to serve Louisville, Ky., for 180 days. NOTE: Applicant intends to tack this authority with its presently held certificates and to interline such traffic with carriers with whom it publishes joint routes and through rates. Supporting shipper: Ford Motor Co., the American Road, Dearborn, Mich. Send protests to: District Supervisor G. H. Fauss, Jr., Bureau of Operations, Interstate Commerce Commission, Box 35008, 400 West Bay Street, Jacksonville, Fla. 32202.

No. MC 2900 (Sub-No. 160 TA), filed August 7, 1968. Applicant: RYDER TRUCK LINES, INC., 2050 Kings Road, Post Office Box 2408, Jacksonville, Fla. 32203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe or conduit*, from Sherman, Tex., to points in Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, Wisconsin, and District of Columbia, for 180 days. NOTE: Applicant proposes to interline this traffic where necessary with carriers with whom it publishes joint routes and through rates. Supporting shipper: McGraw-Edison, Fibre Products Division, 2100 Northwestern Avenue, West Bend, Wis. 53095. Send protests to: District Supervisor G. H. Fauss, Jr., Bureau of Operations, Interstate Commerce Commission, Box 35008, 400 West Bay Street, Jacksonville, Fla. 32202.

No. MC 107295 (Sub-No. 125 TA), filed August 8, 1968. Applicant: PRE-FAB TRANSIT CO., 100 South Main Street, Post Office Box 146, Farmer City, Ill. 61842. Applicant's representative: Mack Stephenson, 301 North Second Street, Springfield, Ill. 62702. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crates* with wood cleats, packaged flat, in sections, from Henderson, Tex., to points in the United States, except Washington, Oregon, California, Idaho, Nevada, Utah, and Arizona, for 180 days.

Supporting shipper: Cush-Pak Manufacturing Corp., Post Office Box 221, Henderson, Tex. 75652. Send protests to: District Supervisor Harold Jolliff, Interstate Commerce Commission, Bureau of Operations, Room 476, 325 West Adams Street, Springfield, Ill. 62704.

No. MC 119118 (Sub-No. 25 TA), filed August 8, 1968. Applicant: LEWIS W. McCURDY, doing business as McCURDY'S TRUCKING CO., 571 Unity Street, Latrobe, Pa. 15650. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, from Columbus, Ohio, to Bradford, Curwensville, Erie, Homer City, Oil City, Ridgway, and Warren, Pa., and *empty containers* on return, for 150 days. Supporting shippers: Bradford City Beers, Inc., 17-19 East Washington Street, Bradford, Pa. 16701; Errigo Distributing Co., 408 North St., Curwensville, Pa. 16833; Erie Beer Co., Inc., 1341 Liberty Street, Erie, Pa.; John Merlo, Inc., 309 North Main Street, Homer City, Pa.; Peter Stubler Distributor, 802 East Second Street, Oil City, Pa.; Bonini Tobacco Co., Inc., 25 Morgan Avenue, Ridgway, Pa.; Crescent Beer Distributor, 102 Cresecent Park, Warren, Pa. Send protests to: Frank L. Calvary, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 2109 Federal Building, 1000 Liberty Avenue, Pittsburgh, Pa. 15222.

No. MC 127450 (Sub-No. 3 TA), filed August 7, 1968. Applicant: T. G. GARLAND, doing business as B&W FREIGHT LINES, 200 North Buchanan 79107, Post Office Box 2884, Amarillo, Tex. 79105. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, from Amarillo, Tex., and commercial zone, to Texola, Erick, Sayre, Elk City, and Clinton-Sherman AFB, Okla., from Amarillo, over U.S. Highway 66 and Interstate Highway 40 to intersection Oklahoma Highway 44, thence Oklahoma Highway 44 to Clinton-Sherman AFB, Okla., and return over the same route, for 180 days. NOTE: Applicant intends to tack authority here applied for to that presently held and/or interline with all authorized carriers at Amarillo, Tex., and Sayre, Okla. Supporting shippers: There are approximately 27 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Haskell E. Ballard, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 918 Tyler Street, Amarillo, Tex. 79101.

No. MC 127557 (Sub-No. 9 TA), filed August 7, 1968. Applicant: COMMERCIAL TRANSPORTATION, INC., 833 Warner Street SW., Atlanta, Ga. 30310. Applicant's representative: Virgil H. Smith, Suite 431, Title Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle,

over irregular routes, transporting: *Malt beverages*, from Evansville, Ind., to Augusta, Ga., for 150 days. Supporting shipper: M&M Distributing Co., Inc., 1130 Fenwick Street, Augusta, Ga. 30901. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 309, 1252 West Peachtree Street NW., Atlanta, Ga. 30309.

No. MC 129874 (Sub-No. 2 TA), filed August 7, 1968. Applicant: TYLER TRANSPORT, LIMITED, Acton, Ontario, Canada. Applicant's representative: Frank J. Kerwin, Jr., 900 Guardian Building, Detroit, Mich. 48226. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Glue stock*, between international boundary of United States and Canada at or near Buffalo, N.Y., and Gowanda, N.Y., under continuing contract with Beardmore & Co., Ltd., of Acton, Ontario, Canada, for 150 days. Supporting shipper: Beardmore & Co., Ltd., Acton, Ontario, Canada. Send protests to: George M. Parker, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 518 Federal Office Building, 121 Ellicott Street, Buffalo, N.Y. 14203.

No. MC 133036 (Sub-No. 1 TA), filed August 7, 1968. Applicant: A. G. HAUCK, doing business as HAUCK TRUCKING, Tolstoy, S. Dak. 57475. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Grain storage tanks and buildings, grain dryers, and grain handling equipment*, from Columbus, Nebr., to points in Potter, Faulk, Sully, Hyde, Hughes, Hand, and Stanley Counties, S. Dak., for 180 days. Supporting shipper: Obert Penrod, Jr., Penrod Construction & Building Service, Gettysburg, S. Dak. 57442. Send protests to: J. L. Hammond, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 369, Federal Building, Pierre, S. Dak. 57501.

No. MC 133069 TA, filed August 7, 1968. Applicant: LEO FOURNIER, doing business as LEO FOURNIER'S TRANSPORT, 36 Canada Street, Swanton, Vt. 05488. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy feed ingredients*, in bulk, in dump vehicles, from the United States-Canadian boundary line at or near Highgate Springs, Vt., and Fort Covington, N.Y., to St. Albans, Vt., and Canton, N.Y., for 180 days. Supporting shipper: Agway, Inc., 560 Delaware Avenue, Post Office Box 128, Buffalo, N.Y. 14240. Send protests to: Martin P. Monaghan, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 52 State Street, Room 5, Montpelier, Vt. 05602.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-9887; Filed, Aug. 15, 1968;
8:47 a.m.]

[Notice 670]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

AUGUST 14, 1968.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 340), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 531 (Sub-No. 241 TA), filed August 9, 1968. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Post Office Box 14287, Houston, Tex. 77021. Applicant's representative: Wray E. Hughes (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulphuric acid and phosphatic fertilizer solution*, in bulk, in tank vehicles, from Uncle Sam, St. James Parish, La., to points in Alabama, Arkansas, Florida, Georgia, Kentucky, Mississippi, Missouri, on and south of the Missouri River, Oklahoma, Tennessee, Texas, Louisiana, and Illinois on and south of U.S. Highway 50 including East St. Louis, for 180 days. NOTE: Applicant does not intend to tack authority with presently authorized routes, for 180 days. Supporting shipper: Freeport Sulphur Co., E. H. Ferree, A.T.M., 161 East 42d Street, New York, N.Y. 10017. Send protests to: District Supervisor John C. Redus, Bureau of Operations, Interstate Commerce Commission, 8610 Federal Building, 515 Rusk Avenue, Houston, Tex.

No. MC 37896 (Sub-No. 20 TA), filed August 9, 1968. Applicant: YOUNG-BLOOD TRUCK LINES, INC., U.S. Highway 25, Post Office Drawer 38, Fletcher, N.C. 28732. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (usual exceptions), serving the Ford Motor Co. plant site at the intersection of Westport Road and Murphy Lane, Jefferson County, near Louisville, Ky., as an off-route point in connection with applicant's present authorized regular routes, in MC-37896, for

180 days. NOTE: Applicant intends to tack the authority sought herein with its existing authority under MC 37896 and subs thereunder. Supporting shipper: Ford Motor Co., The American Road, Dearborn, Mich. 48127. Send protests to: District Supervisor Jack K. Huff, Bureau of Operations, Interstate Commerce Commission, Suite 417, 316 East Morehead Street, Charlotte, N.C. 28202.

No. MC 64932 (Sub-No. 453 TA), filed August 9, 1968. Applicant: ROGERS CARTAGE CO., 1439 West 103d Street, Chicago, Ill. 60643. Applicant's representative: E. J. Smith (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Sulphuric acid and phosphatic fertilizer solution*, in bulk from the plantsite of Freeport Sulphur Co. at or near Uncle Sam, St. James Parish, La., to points in Alabama, Arkansas, Florida, Georgia, Illinois on and south of U.S. Highway 50 including East St. Louis, Kentucky, Louisiana, Mississippi, Missouri on and south of the Missouri River, Oklahoma, Tennessee, and Texas, for 180 days. Supporting shipper: Freeport Sulphur Co., 161 East 42d Street, New York, N.Y. 10017. Send protests to: Roger L. Buchanan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 219 South Dearborn Street, Room 1086, Chicago, Ill. 60604.

No. MC 98952 (Sub-No. 21 TA), filed August 12, 1968. Applicant: GENERAL TRANSFER COMPANY, 2880 North Woodford Street, Post Office Box 2203, Decatur, Ill. 62525. Applicant's representative: Ralph Lorenze (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Candy or confectionery*, from Decatur, Ill., to points in Indiana on and south of U.S. Highways 36 and 40, for 180 days. Supporting shipper: E. J. Brach & Sons, division of American Home Products Corp., Post Office Box 802, Chicago, Ill. 60690. Send protests to: District Supervisor Harold C. Jolliff, Interstate Commerce Commission, Bureau of Operations, Room 476, 325 West Adams Street, Springfield, Ill. 62704.

No. MC 103654 (Sub-No. 139 TA), filed August 2, 1968. Applicant: SCHIRMER TRANSPORTATION COMPANY, INC., 1145 Homer Street, St. Paul, Minn. 55116. Applicant's representative: C. E. Swanson (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Nitric acid*, in bulk, from Barksdale, Wis., to Biwabik, Minn., for 180 days. Supporting shipper: E. I. du Pont de Nemours & Co., Inc., Wilmington, Del. 19898. Send protests to: District Supervisor A. E. Rathert, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 103654 (Sub-No. 140 TA), filed August 12, 1968. Applicant: SCHIRMER TRANSPORTATION COMPANY, INC., 1145 Homer Street, St. Paul, Minn.

55116. Applicant's representative: C. E. Swanson (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Sulphur*, in bulk, from Pine Bend, Minn., to points in Illinois and Indiana within the Chicago, Ill., commercial zone, as defined by the Commission, for 150 days. Supporting shipper: Great Northern Oil Co., Post Office Box 3596, St. Paul, Minn. 55101. Send protests to: District Supervisor A. E. Rathert, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 109689 (Sub-No. 198 TA), filed August 12, 1968. Applicant: W. S. HATCH CO., 643 South 800 West Street, Post Office Box 1825 84110, Woods Cross, Utah 84087. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Inedible animal grease or tallow*, in bulk, from Ogden, Utah, to Pocatello, Idaho, for 180 days. Supporting shipper: Utah By-Products Co., 463 South Third West Street, Salt Lake City, Utah 84101. Send protests to: John T. Vaughan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6201 Federal Building, Salt Lake City, Utah 84111.

No. MC 129326 (Sub-No. 8 TA), filed August 9, 1968. Applicant: WHITNEY TANK LINES, INC., 5201 East Causeway Boulevard, Tampa, Fla. 33619. Applicant's representative: Norman J. Bolinger, 1729 Gulf Life Tower, Jacksonville, Fla. 32207. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Sulphuric acid and phosphatic fertilizer solution*, in bulk, from site of Freeport Sulphur Co., division of Freeport Sulphur Co., at or near Uncle Sam, St. James Parish, La., to points in Alabama, Arkansas, Florida, Georgia, Illinois on and south of U.S. Highway 50 including East St. Louis, Kentucky, Louisiana, Mississippi, Missouri on and south of the Missouri River, Oklahoma, Tennessee, and Texas, for 180 days. Supporting shipper: Freeport Sulphur Co., 101 East 42d Street, New York, N.Y. 10017. Send protests to: District Supervisor Joseph B. Teichert, Interstate Commerce Commission, Bureau of Operations, Room 1226, 51 Southwest First Avenue, Miami, Fla. 33130.

No. MC 129538 (Sub-No. 3 TA), filed August 12, 1968. Applicant: WALT EWING, doing business as WALT EWING CONSTRUCTION, Post Office Box 95, Belfry, Mont. 59008. Applicant's representative: Jos. F. Meglen, Post Office Box 1581, Billings, Mont. 59103. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Coal*, from points in Hot Springs County, Wyo., to points in Carbon County, Mont., for 180 days. Supporting shipper: Montana Coal & Iron Co., Post Office Box 968, Red Lodge, Mont. 59068. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 251 U.S. Post Office Building, Billings, Mont. 59101.

No. MC 133021 (Sub-No. 1 TA), filed August 9, 1968. Applicant: JOHN L. WILSON, doing business as J. W. TRUCKING, 407 West Maple Avenue, Sterling Park, Va. 22170. Applicant's representative: Charles E. Creager, 5507 Sarril Road, Baltimore, Md. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Canned fruit juices*, from Round Hill, Va., to Baltimore, Md., and Washington, D.C.; (2) *sugar* (except in bulk), *frozen juices*, *concentrates* and *containers*, from Baltimore, Md., to Round Hill, Va.; (3) *sugar*, *frozen juices* and *concentrates*, from Washington, D.C., to Round Hill, Va., for 120 days. Supporting shipper: Hill High Food Products, Inc., Round Hill, Va. 22141. Send protests to: Robert D. Caldwell, District Supervisor, Interstate Commerce Commission, Room 1220, 12th and Constitution Avenue NW., Washington, D.C. 20423.

No. MC 133065 (Sub-No. 1 TA), filed August 7, 1968. Applicant: GERALD ECKLEY, doing business as ECKLEY TRUCKING AND LEASING, Mead, Nebr. 68041. Applicant's representative: Dwane Acklie, Post Office Box 806, Lincoln, Nebr. 68501. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Metal buildings*, *grain tanks*, *grain crop dryers* and *hydraulic presses*, and *component parts thereof*, and *equipment*, *materials* and *supplies* used in the manufacture of the above items, between the plantsite and storage facilities of the Behlen Manufacturing Co., at or near Columbus, Nebr., on the one hand, and on the other, points in Colorado, Illinois, Iowa, Indiana, Kansas, Minnesota, Missouri, Montana, North Dakota, South Dakota, Wisconsin, Wyoming, Michigan, Ohio, Pennsylvania, New York, and New Jersey, under continuing contract with Behlen Manufacturing Co., for 180 days. Supporting shipper: Behlen Manufacturing Co., Post Office Box 569, Columbus, Nebr. 68601. Send protests to: District Supervisor Johnston, Bureau of Operations, Interstate Commerce Commission, 315 Post Office Building, Lincoln, Nebr. 68508.

No. MC 133071 TA (Correction), filed August 8, 1968, published in FEDERAL REGISTER issue Notice No. 669 and republished as corrected this issue. Applicant: SKYLAND, INC., 116 LaGrave SE., Grand Rapids, Mich. 49503. Applicant's representative: William B. Elmer, 22644 Gratiot Avenue, Kaiser Building, East Detroit, Mich. 48021. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between Grand Rapids, Mich., on the one hand and, on the other, Detroit Metropolitan Airport and Willow Run Airport, Wayne County, Mich., on a route from Grand Rapids along I-96 to U.S. 23, thence to U.S. I-94 to Metropolitan Airport and Willow Run Airport, Wayne County, Mich., and return over the same route. Subject to the restriction that all

traffic transported shall have an immediately prior or immediately subsequent interstate movement by air. NOTE: Applicant will interline at Metropolitan and Willow Run Airport with all air carriers. The purpose of this republication is to show applicant's representative as William B. Elmer in lieu of Camille Sam Abood as shown in previous publication. Supporting shippers: There are approximately eight statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: C. R. Flemming, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 221 Federal Building, Lansing, Mich. 48933.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-9889; Filed, Aug. 16, 1968;
8:47 a.m.]

[Notice No. 190]

MOTOR CARRIER TRANSFER PROCEEDINGS

AUGUST 13, 1968.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 279), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-70602. By order of July 31, 1968, the Transfer Board approved the transfer to G. H. Harnum, Inc., Cambridge, Mass., of the operating rights in certificates Nos. MC-91468 and MC-91468 (Sub-No. 1) issued April 19, 1951, and December 16, 1964, respectively, to Carlton Trucking Co., Inc., Worcester, Mass., authorizing the transportation of machinery, factory equipment and supplies, heavy commodities requiring rigging, and office furniture when incidental to the transportation of machinery and factory equipment and supplies, between Boston, Mass., and points within 15 miles thereof, on the one hand, and, on the other, points in Maine, Vermont, New Hampshire, Massachusetts, Connecticut, and Rhode Island; and such commodities as heavy plant machinery and equipment and articles requiring special handling or rigging, between points in Massachusetts, Rhode Island, and New Hampshire. Arthur A. Wentzell, Registered Practitioner, Post Office Box 720, Worcester, Mass. 01601, representative for applicants.

No. MC-FC-70625. By order of July 31, 1968, the Transfer Board, approved the transfer to J. Grady Randolph, Inc., Post Office Box 712, Blacksburg, S.C. 29702, of the operating rights in permit No. MC-116621, issued December 24, 1957, to J. Grady Randolph, Post Office Box 712, Blacksburg, S.C. 29702, authorizing transportation service in interstate commerce of agricultural lime and crushed stone, in bulk, from the quarry of the Campbell Limestone Co.'s plant, near Blacksburg, S.C. (approximately 1 mile from the North Carolina State line), to points in Rutherford, Polk, Cleveland, Gaston, Mechelburg, Cataba, Iredell, Cabarrus, Lincoln, Alexander, and Rowan Counties, N.C., with no compensation on return except as otherwise authorized, with service limited to that furnished under a continuing contract with Campbell Limestone Co., Blacksburg, S.C.

No. MC-FC-70674. By order of July 31, 1968, the Transfer Board approved the transfer to Bibey Trucking Co., Inc., Perryville, Md., of certificate No. MC-115777 (Sub-No. 3), issued May 26, 1967, to Kenneth E. Bibey, Perryville, Md., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities, from Perryville, Md., to the U.S. Naval Training Center at Bainbridge, Md., and coal, in bulk, in dump vehicles, from Conowingo and Perryville, Md., to the U.S. Naval Training Center at Bainbridge, Md., restricted to shipments having an immediately prior movement by rail. William B. Calvert, 131 East Main Street, Elkton, Md. 21921, attorney for applicants.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-9890; Filed, Aug. 16, 1968;
8:47 a.m.]

[Notice 191]

MOTOR CARRIER TRANSFER PROCEEDINGS

AUGUST 14, 1968.

Application filed for temporary authority under section 210(a) (b) in connection with transfer application under section 212(b) and Transfer Rules, 49 CFR Part 1132:

No. MC-FC-70748. By application filed August 8, 1968, GEORGE AIGNER & SONS, INC., 1931 West Roscoe Street, Chicago, Ill. 60657, seeks temporary authority to lease the operating rights of WILLIAM SADOWSKY, doing business as ADVANCE LUMBER CARTAGE CO., Chicago, Ill., under section 210a(b). The transfer to GEORGE AIGNER & SONS, INC., of the operating rights of WILLIAM SADOWSKY, doing business as ADVANCE LUMBER CARTAGE CO., is presently pending.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-9891; Filed, Aug. 16, 1968;
8:47 a.m.]

[Notice 192]

MOTOR CARRIER TRANSFER PROCEEDINGS

AUGUST 14, 1968.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-70652. By order of July 31, 1968, the Transfer Board approved the transfer to Gringeri Bros., Transportation Co., Inc., Watertown, Mass., of a portion of the operating rights in certificate No. MC-117758 issued August 14, 1961, to J. F. Gurry Transportation Co., Inc., South Boston, Mass., and the operating rights in certificate No. MC-118227 issued December 16, 1960, to Clarence Tasca, Fitchburg, Mass., and acquired by J. F. Gurry Transportation Co., Inc., pursuant to No. MC-FC-70276, authorizing the transportation of bananas, from Baltimore, Md., and Philadelphia, Pa., to Boston, Mass.; from points in the New York, N.Y., commercial zone, as defined by the Commission, to Boston, Mass., and Waterville and Portland, Maine, and from Weehawken, N.J., and New York, N.Y., to Fitchburg and Southbridge, Mass., and frozen blueberries, from Gloucester, Mass., to points in the New York, N.Y., commercial zone, as defined by the Commission. Dual operations were authorized. John F. Curley, 33 Broad Street, Boston, Mass. 02109, attorney for transferee. George C. O'Brien, 33 Broad Street, Boston, Mass. 02109, attorney for transferor.

No. MC-FC-70658. By order of July 31, 1968, the Transfer Board, approved the transfer to Palmer Bros., Inc., Peninsula, Ohio, of the operating rights in permit No. MC-114901 (Sub-No. 1), issued June 22, 1964, to Varili & Son, Inc., authorizing transportation service in interstate or foreign commerce, over irregular routes, of concrete pipe, concrete cribbing, and concrete slabs, from Cleveland, Ohio, to Bridgeville, Pa., concrete pipe forms and prestressed concrete bridge side forms, between Bridgeville, Pa., and Cleveland, Ohio, concrete pipe, concrete cribbing, concrete slabs, concrete pipe forms, and prestressed concrete bridge side forms, between Columbus, Ohio, and Bridgeville, Pa., subject to the conditions that no transportation service shall be performed in connection with any of the above-specified commodities which, because of their size or weight, require the use of special equipment, and operations authorized above are limited to a transportation service

to be performed under contract with Reliance Universal, Inc., Concrete Products Division of Bridgeville, Pa., concrete pipe, concrete slabs, and concrete cribbing from the site of the Reliance Universal, Inc., Concrete Products Division, Bridgeville plant, in Collier Township, Allegheny County, Pa., to points in Hancock, Brooke, Ohio, Marshall, Wetzel, Monongalia, Preston, Marion, Harrison, Taylor, Wood, Tyler, and Pleasants Counties, W. Va., and Ashtabula, Lake, Geauga, Summit, Cuyahoga, Lorain, Medina, Wayne, Holmes, Trumbull, Portage, Mahoning, Stark, Columbiana, Noble, Monroe, Washington, Vinton, Jackson, Carroll, Jefferson, Harrison, Tuscarawas, Guernsey, Belmont, Morgan, Athens, and Meigs Counties, Ohio. Christian V. Graff, Esq., 407 North Front Street, Harrisburg, Pa. 17101, attorney for applicants.

No. MC-FC-70683. Dual operations authorized. By order of July 31, 1968, the Transfer Board approved the transfer to T. Achenberg Transportation Co., a corporation, Perth Amboy, N.J., of a portion of the operating rights in certificate No. MC-26650 issued January 12, 1956, to Louis W. Rash, 832 Garden Street, Elizabeth, N.J. 07202 authorizing the transportation of: Various commodities; i.e., carbolic acid, synthetic resin, ester gum, etc., between points in New York and New Jersey. Morton W. Kiel, 140 Cedar Street, New York, N.Y. 10006, practitioner for transferee.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-9892; Filed, Aug. 16, 1968;
8:47 a.m.]

[S.O. 994; ICC Order No. 15]

ANN ARBOR RAILROAD CO.

Rerouting or Diversion of Traffic

In the opinion of R. D. Pfahler, agent, the Ann Arbor Railroad Co. is unable to transport traffic over its car ferries between Frankfort, Mich., and Kewau-nee, Wis., Manitowoc, Wis., and Menominee, Mich., because of a work stoppage by certain of its employees.

It is ordered, That:

(a) Rerouting traffic: The Ann Arbor Railroad being unable to transport traffic over its car ferries between Frankfort, Mich., and Kewau-nee, Wis., Manitowoc, Wis., and Menominee, Mich., because of a work stoppage by certain of its employees, the Ann Arbor Railroad is hereby authorized to reroute or divert such traffic over any available route to expedite the movement, regardless of the routing designated on the waybill. The billing covering all such cars rerouted or diverted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained: The railroad desiring to divert or reroute traffic under this order shall receive the concurrence of other railroads to which such traffic is to be diverted or rerouted, before the rerouting or diversion is ordered.

(c) Notification to shippers: Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic is deemed to be due to carrier disability, the rates applicable to traffic diverted or rerouted by

said agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date: This order shall become effective at 9 a.m., August 12, 1968.

(g) Expiration date: This order shall expire at 11:59 p.m., August 23, 1968, unless otherwise modified, changed, or suspended.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., August 12, 1968.

INTERSTATE COMMERCE
COMMISSION,
R. D. PFAHLER,
Agent.

[SEAL]

[F.R. Doc. 68-9893; Filed, Aug. 16, 1968;
8:47 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—AUGUST

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during August.

3 CFR

	Page
PROCLAMATIONS:	
3860	10921
3861	10995

EXECUTIVE ORDERS:

11248 (amended by EO 11421)	11447
11420	10997
11421	11447

5 CFR

180	11391
213	11392, 11702
335	11360
351	11360
752	11360
771	11360
930	11055
2100	11535

7 CFR

52	11629
301	11585, 11630, 11631
725	11585
728	11147, 11541
777	11113
811	10934
814	11703
815	10935
842	11392
849	11057, 11392
906	11542
908	10936,
	11058, 11265, 11449, 11585,
	11058, 11392, 11704
910	11586
915	11331
925	11059
927	11639
929	10936, 11393, 11586
931	11265
932	11642
944	11268
948	11331
958	11642
980	10936
991	10938
1009	10938
1036	10938
1041	10938
1044	10939
1050	10939
1062	10939
1063	10939
1068	10939
1070	10939
1076	10939
1078	10939
1079	10939
1434	11705
1443	10941

PROPOSED RULES:

33	11663
53	11663
68	11046
101	11669
729	11663
916	11028
922	11298
926	11174
947	11362, 11715
980	10942
981	11547, 11715
987	11174, 11715, 11716

7 CFR—Continued

	Page
PROPOSED RULES—Continued	
993	11120, 11298
1002	10978
1005	11409
1067	11600
1104	11299
1121	11486
1126	11486
1130	11083
1138	11409
1202	11716

8 CFR

100	11354, 11644
103	11644
212	11354
238	11354
245	11644
264	11354
319	11354
332a	11354

9 CFR

76	10999
85	11587
97	11587
201	11354
316	11393
317	11393
328	11393

10 CFR

0	11396
30	10924
40	10924
50	10924
70	10924
170	10924, 11587

PROPOSED RULES:

20	11413
30	11414
31	11414
32	11414
35	11414

12 CFR

1	11060
11	11587, 11705
12	11587, 11705
206	11394
207	11644
329	11147
335	11589
400	11646
526	10926
545	11706
561	11261

PROPOSED RULES:

501	11717
-----	-------

13 CFR

107	11147
108	11147
120	11147, 11652
122	11652

14 CFR

39	11114,
	11261, 11535, 11536, 11592, 11646,
	11714.

14 CFR—Continued

	Page
71	11001,
	11002, 11147-11150, 11332, 11449,
	11450, 11537, 11593.
73	11450
75	11150, 11451, 11537, 11538
95	11593
97	11003, 11333, 11647
159	11076
378	11076

PROPOSED RULES:

39	10943, 11028
71	11029,
	11030, 11175-11177, 11362, 11462-
	11464, 11547, 11600.
75	11175, 11177
207	11548
208	11548
211	11464
212	11548
214	11548
221	11548
295	11548
302	11464
399	11464

15 CFR

30	11076
366	11355
373	11538
1000	11268, 11706

16 CFR

0	11538
13	10999, 11356, 11596
15	11701, 11702

PROPOSED RULES:

240	11549
303	11417
418	10948

17 CFR

240	11015, 11207
241	11150
270	11451

18 CFR

607	11018
-----	-------

19 CFR

12	11019
16	11543, 11661
25	11396

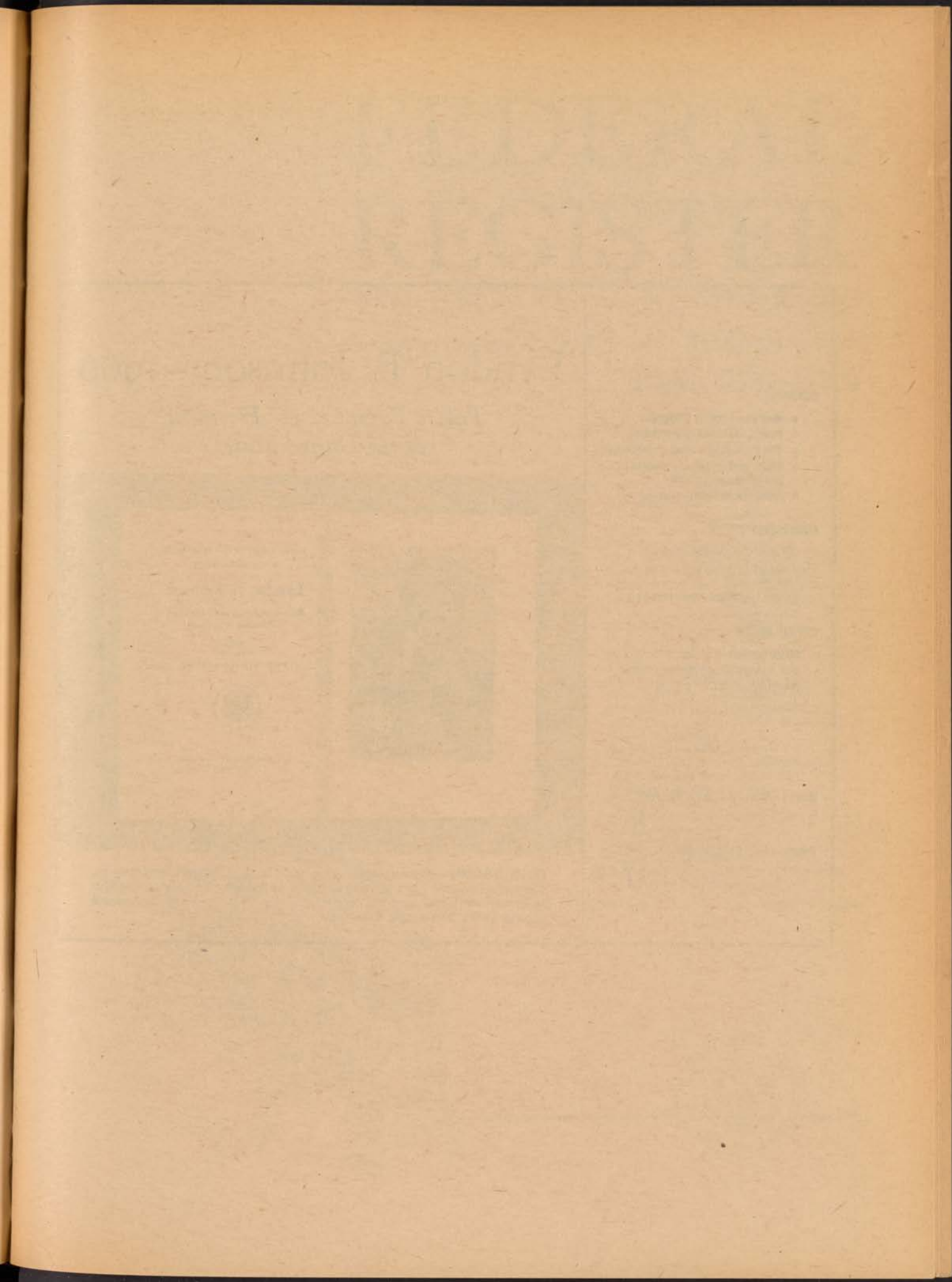
PROPOSED RULES:

31	11455
----	-------

20 CFR

300	11114
322	11114
325	11114
330	11115
332	11115
335	11115
336	11116
405	11273, 11274
422	11280
609	11357
614	11357

21 CFR	Page	32A CFR	Page	43 CFR—Continued	Page
18.....	10926	OEP (Ch. I):		PUBLIC LAND ORDERS—Continued	
31.....	11358	DMO 3000.1.....	10927	2298 (revoked in part by PLO	
42.....	10927	BDSA (Ch. VI):		4510).....	11654
120.....	11207	M-11A.....	11597	2729 (revoked in part by PLO	
121.....	11024, 11077, 11207, 11358	M-11A, Dir. 2.....	11596	4515).....	11655
PROPOSED RULES:		OIA (Ch. X):		4501 (corrected).....	11360
120.....	11362	Reg. 1.....	11262	4506.....	10932
22 CFR		33 CFR		4507.....	10932, 11713
121.....	11020	110.....	11079	4508.....	11398
122.....	11020	117.....	11000, 11543, 11544	4509.....	11654
123.....	11020	204.....	10930	4510.....	11654
125.....	11020	207.....	11544	4511.....	11654
23 CFR		36 CFR		4512.....	11654
255.....	11116, 11117, 11652, 11653	7.....	11358	4513.....	11654
24 CFR		251.....	11452, 11653	4514.....	11655
5.....	11151	PROPOSED RULES:		4515.....	11655
25.....	11077	7.....	10942, 11546	44 CFR	
201.....	11151	37 CFR		401.....	11023
203.....	11152	PROPOSED RULES:		45 CFR	
207.....	11153	1.....	11092	12.....	11399
213.....	11154	38 CFR		118.....	11281
220.....	11156	2.....	11597	119.....	11403
221.....	11156	17.....	11080	177.....	11539
222.....	11161	39 CFR		178.....	11540
231.....	11161	121.....	11597	203.....	11290
232.....	11161	135.....	11170, 11263, 11359, 11598	46 CFR	
233.....	11162	145.....	11598	222.....	10933
234.....	11162	163.....	11453	350.....	11702
237.....	11163	221.....	11598	355.....	11000
240.....	11164	222.....	11598	502.....	11080
241.....	11164	521.....	11061	510.....	11172
809.....	11168	522.....	11070	522.....	11655
810.....	11169	523.....	11072	PROPOSED RULES:	
1000.....	11169	524.....	11074	Ch. II.....	11547
1100.....	11169	525.....	11075	47 CFR	
25 CFR		526.....	11075	17.....	11540
88.....	11539	531.....	11599	21.....	11291
PROPOSED RULES:		535.....	11599	73.....	11294, 11297, 11540
131.....	11118	742.....	10930	81.....	11541
26 CFR		41 CFR		83.....	11541
1.....	11261	1-2.....	10930	87.....	10928
251.....	11262	1-30.....	10930	202.....	10929
PROPOSED RULES:		8-1.....	10931	PROPOSED RULES:	
1.....	11027, 11174, 11298, 11546	8-7.....	10931	2.....	10943, 11031, 11669
28 CFR		8-12.....	10931	73.....	11031, 11178-11180, 11549, 11601
0.....	11117, 11539	11-1.....	11170, 11171	74.....	11716
29 CFR		11-2.....	11397	81.....	11031, 11669
11.....	11452	11-3.....	11171	83.....	11031, 11669
526.....	11396	11-7.....	11398	85.....	11669
1504.....	11134	11-10.....	11172	87.....	11299
1604.....	11539	11-12.....	11171	89.....	10943
PROPOSED RULES:		11-16.....	11172, 11397, 11398	91.....	10943
526.....	11175	11-17.....	11397	93.....	10943
1504.....	11135	11-50.....	11398	95.....	11180
1505.....	11138	42 CFR		49 CFR	
31 CFR		51.....	11359	1.....	11405
316.....	11208	43 CFR		99.....	11405
332.....	11244	4120.....	11516	1033.....	11453, 11713
342.....	11259, 11539	PUBLIC LAND ORDERS:		PROPOSED RULES:	
525.....	11524	882 (revoked in part by PLO		172.....	11121
530.....	11524	4508).....	11398	173.....	11121
32 CFR		1426 (revoked by PLO 4512).....	11654	Ch. X.....	11119
40.....	11170	1760 (revoked in part by PLO		50 CFR	
754.....	11397	4508).....	11398	10.....	11000, 11407, 11453
882.....	11021	1817 (revoked in part by PLO		28.....	11407, 11713
888b.....	11022	4514).....	11655	32.....	10933
888c.....	11022				10934, 11173, 11263, 11453, 11454, 11599, 11660, 11661, 11713.



CONTENTS

- Messages to the Congress
- Public speeches and letters
- The President's news conferences
- Radio and television reports to the American people
- Remarks to informal groups

PUBLISHED BY

Office of the Federal Register
National Archives and Records
Service
General Services Administration

ORDER FROM

Superintendent of Documents
U.S. Government Printing Office
Washington, D.C. 20402



Book I (January 1–June 30, 1966)

\$6.50

Book II (July 1–December 31, 1966)

\$7.00

Lyndon B. Johnson – 1966

Public Papers of the Presidents of the United States



PUBLIC PAPERS OF THE PRESIDENTS
OF THE UNITED STATES

Lyndon B. Johnson

*Containing the Public Messages, Speeches, and
Statements of the President*

1966

ON TWO BOOKS

BOOK II—JULY 1 TO DECEMBER 31, 1966



UNITED STATES GOVERNMENT PRINTING OFFICE
WASHINGTON : 1966

PRIOR VOLUMES—Volumes covering the administrations of Presidents Truman, Eisenhower, Kennedy, and the first two years of President Johnson are available at comparable prices from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.